

24-91

RESOLUTION NO. 9-92

IID/CVWD Approval Agreement

WHEREAS, Imperial Irrigation District has made a proposal to the Metropolitan Water District of Southern California whereby Imperial Irrigation District would undertake, and Metropolitan Water District of Southern California would fund, a two-year "Test Water Conservation Program" (Test Program) which Imperial Irrigation District anticipates would, over a two-year period, make approximately 200,000 acre feet of Colorado River water available for storage by the United States Department of Interior, Bureau of Reclamation, for use by Metropolitan Water District of Southern California; and

WHEREAS, in the event Metropolitan Water District of Southern California agrees to Imperial Irrigation District's proposal, Imperial Irrigation District desires that the Coachella Valley Water District Board of Directors agree to the proposal and agree that Coachella Valley Water District will neither use nor demand any portion of the water thus stored for use by Metropolitan Water District of Southern California; and

WHEREAS, Coachella Valley Water District Board of Directors is willing to so agree, provided that Imperial Irrigation District will agree to hold Coachella Valley Water District harmless from adverse impact by reason of the implementation of the Test Program on the terms and conditions set forth in the unexecuted "Approval

Agreement Between Imperial Irrigation District and Coachella Valley Water District Regarding Imperial Irrigation District's 'Test Water Conservation Program'" (Approval Agreement) which is the subject of this Resolution, a copy of which unexecuted Approval Agreement is attached hereto as Exhibit "A," and

WHEREAS, it is the Imperial Irrigation District Board of Director's understanding that the Board of Directors of the Coachella Valley Water District is willing to so agree under the terms and conditions set forth in said Approval Agreement.

NOW, THEREFORE, on motion of Director Donald H. Cox, seconded by Director Ralph M. Menvielle, BE IT RESOLVED that the President and Secretary are hereby authorized to execute the said Approval Agreement substantially in the form set forth in the attached Exhibit "A" and subject to Chief Legal Counsel approval as to form and on condition that the Board of Directors of Coachella Valley Water District also authorize execution of said Approval Agreement by resolution.

PASSED AND ADOPTED this 26th day of May, 1992.



IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

24-92

BOARD OF DIRECTORS
OF
IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 16-92

A RESOLUTION OF THE BOARD OF DIRECTORS OF
IMPERIAL IRRIGATION DISTRICT DECLARING THE
OFFICIAL INTENT OF IMPERIAL IRRIGATION
DISTRICT TO REIMBURSE CERTAIN CAPITAL
EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, Imperial Irrigation District (the "District") intends to develop certain water and wastewater facilities for the more particularly described in Exhibit A, attached hereto and incorporated herein (the "Project");

WHEREAS, the District would pay certain capital expenditures in connection with the Project prior to the issuance of indebtedness to be used to finance such expenditures;

WHEREAS, the District is authorized to incur or issue debt obligations to finance costs of the Project.

WHEREAS, in order to reimburse itself or pay for costs of the Project, the District reasonably expects it will issue debt obligations in an amount not reasonably expected to exceed \$100,000,000 for the purpose of financing costs of the Project on a long-term basis; and

WHEREAS, Section 1.103-18 of the Treasury Regulations requires the District to declare its reasonable official intent to reimburse prior expenditures for the Project with proceeds of a borrowing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Imperial Irrigation District, as follows:

Section 1. The Board of Directors of the District finds and determines that the foregoing recitals are true and correct.

Section 2. This resolution is adopted by the Board of Directors of the District solely for purposes of establishing compliance with the requirements of Section 1.103-18 of the Treasury Regulations, and does not bind the District to make any expenditure, incur any indebtedness or proceed with the Project.

EXHIBIT "A"

Imperial Irrigation District Regional Water and Wastewater Utility Implementation

A preliminary analysis of the demand for wholesale water and wastewater services in the IID service area shows that two water and two wastewater plants are economically justifiable. Total combined capacity of the water plants could be up to 35 million gallons per day (mgd). Wastewater treatment plants capacity could be up to a total of 17.5 mgd. Communities served could include up to 60,000 people.

Plants would be centrally located in the southern and north-central portions of the IID service area. Facilities would include treatment plants, transmission lines, and pumping stations. Estimated total cost could be \$100 million. The actual financing required would depend on the number of communities that entered into up-front agreements with the IID to purchase water and wastewater services. Services to the southern area could be on-line in late 1994, with services to the central and northern areas following in 1995.

Section 3. The Board of Directors of the District expects that the District will pay certain capital expenditures in connection with the Project prior to the issuance of indebtedness for the Project. The reimbursement of such Project expenditures is consistent with the District's established budgetary and financial circumstances, and there are no funds or sources of monies of the District, or any related person or commonly controlled entity, that have been, or reasonably are expected to be, reserved, allocated on a long-term basis or otherwise set aside to pay any costs of the Project which are to be paid or reimbursed out of proceeds of indebtedness to be issued for the Project.

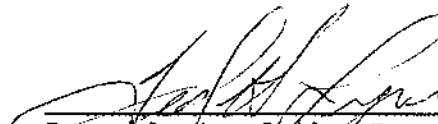
Section 4. The Board of Directors of the District hereby declares the District's official intent to use proceeds of indebtedness to reimburse itself for future Project expenditures.

Section 5. This resolution shall be reasonably available for inspection by the general public during normal business hours at the office of the District, located at 333 East Barioni Boulevard, Imperial, California, commencing on the date of adoption hereof.

Section 6. This resolution shall take effect from and after its adoption.

The foregoing resolution was duly passed by a vote of the Board of Directors of Imperial Irrigation District at a regular meeting thereof held on the 27th day of October 1992.

Signed and approved by me after its passage this 27th day of October 1992.



President of the Board of Directors
Imperial Irrigation District

ATTEST:



Secretary to the Board of Directors
of Imperial Irrigation District



a:res16-92

Copies: Mr. Shreves
Mr. Carter
Mr. Silva
Mrs. Fontaine
Mr. Hull
Office Services

24-93

RESOLUTION NO. 20-92

IID/MWD AGREEMENT; INDIRECT COSTS - PIPELINING

WHEREAS, Resolution 4-90 placed the \$23 million referenced in section 2.2. of the IID/MWD agreement in a trust fund, limited spending to the interest earned on the trust fund account and required Board approval in advance of each expenditure, and

WHEREAS, lateral canal pipelining is identified as a cost and obligation related to the conservation of water from the IID/MWD program, and

WHEREAS, Board action of November 10, 1992 directed staff to modify existing regulations concerning cost sharing for pipelining, and to prepare a resolution for the utilization of a portion of the interest earned on the principal from the Indirect Funds, and develop a system for the loan of principal to public and private agencies for pipelining.

WHEREAS, public agencies may select an option for their share of the total cost of pipelining to be funded from the trust fund account provided the public agency executes an agreement to pay back the funds to the trust fund account in three years with interest equal to one percentage point higher than the average annual interest rate for the indirect fund, and

WHEREAS, the public agency application for cost sharing must include a resolution from that governing body stating their intent to enter into a repayment agreement, with payments made prior to the end of the succeeding three fiscal years, including interest equal to one percentage point higher than the average annual interest rate received for the indirect fund, and

WHEREAS, the public agency application for cost sharing must include justification, including but not limited to, public safety, public need and other factors to be considered in prioritizing requests, and

WHEREAS, a developer may select an option for their share of the total cost of pipelining to be funded from the trust fund account provided the developer executes the agreement to pay back the funds to the trust fund account in two years with interest rate equal to three percentage points higher than the average annual interest rate for the indirect fund, and

WHEREAS, developers shall include in an application for use of principal from the trust fund, justification indicating that the project is in the best interest of the public-at-large and information on public safety and other factors that can be utilized to establish priority, and provide a letter of credit according to the amount of the developer's cost sharing, and stating their intent to enter into a repayment agreement with equal principal payments made prior to the end of the first and second anniversary from the date of the start of the project, and

WHEREAS, the District shall establish an average annual interest rate each month based on the previous twelve month period, and

WHEREAS, all pipelining of existing open laterals and canals shall be in accordance with the Rules and Regulations Governing Distribution and Use of Water, Regulation No. 51, and

WHEREAS, applications for the annual pipelining program must be received by the District prior to April 1 of each year (with the initial deadline for the 1993-94 program being April 1, 1993).

NOW, THEREFORE, on motion of Director Allen, seconded by Director Cox, BE IT HEREBY RESOLVED that fifty percent of all interest earned to date and fifty percent of the interest earned on an annual basis thereafter shall be reserved to fund the IID share of the cost of pipelining canals.

BE IT FURTHER RESOLVED, that the IID share of the cost of pipelining canals shall be in accordance with Regulation No. 51 with cost shared amount to include water conservation funds available from the IID/MWD program.

BE IT FURTHER RESOLVED, the public agency portion of the cost share may be funded from the principal of the trust fund contingent upon execution of a three year repayment agreement with interest equal to one percentage point higher than the average annual interest rate received for the indirect funds.

BE IT FURTHER RESOLVED, the developer portion of the cost share may be funded from the principal of the trust fund contingent upon execution of a two year repayment agreement with interest equal to three percentage points higher than the average annual interest rate received for the indirect funds.

BE IT FURTHER RESOLVED, that Board approval shall be required of an annual pipelining program submitted by staff by May 1 of each year.

PASSED AND ADOPTED this 24th day of November, 1992.

IMPERIAL IRRIGATION DISTRICT



By

[Signature]
President

By

[Signature]
Secretary

Copies: Mr. Shreves
Mr. Carter
Mr. Silva
Mrs. Fontaine
Mr. Hull
Office Services

24-94

RESOLUTION NO. 20-92
(Amended January 19, 1993)

IID/MWD AGREEMENT; INDIRECT COSTS - PIPELINING

WHEREAS, Resolution 4-90 placed the \$23 million referenced in section 2.2. of the IID/MWD agreement in a Trust Fund Account (Account), limited spending to the interest earned on the Account and required Board approval in advance of each expenditure, and

WHEREAS, lateral canal pipelining is identified as a cost and obligation related to the conservation of water from the IID/MWD program, and

WHEREAS, Board action of November 10, 1992 directed staff to modify existing regulations concerning cost sharing for pipelining, and to prepare a resolution for the utilization of a portion of the interest earned on the Account, and develop a system for the loan of principal to public and private agencies for pipelining.

WHEREAS, public agencies may select an option for their share of the total cost of pipelining to be funded from the Account provided the public agency executes an agreement to pay back the funds to the Account in three years with interest equal to one percentage point higher than the average annual interest rate for the Account, and

WHEREAS, the public agency application for cost sharing must include a resolution from that governing body stating their intent to enter into a repayment agreement, with payments made prior to the end of the succeeding three fiscal years, including interest equal to one percentage point higher than the average annual interest rate received for the Account, and

WHEREAS, the public agency application for cost sharing must include justification, including but not limited to, public safety, public need and other factors to be considered in prioritizing requests, and

WHEREAS, a developer may select an option for their share of the total cost of pipelining to be funded from the Account provided the developer executes the agreement to pay back the funds to the Account in two years with interest rate equal to three percentage points higher than the average annual interest rate for the Account, and

WHEREAS, developers shall include in an application for use of principal from the Account, justification indicating that the project is in the best interest of the public-at-large and information on public safety and other factors that can be utilized to establish priority, and provide collateral security according to the amount of the developer's cost sharing, and stating their intent to enter into a repayment agreement with equal principal payments made prior to the end of the first and second anniversary from the date of the start of the project, and

WHEREAS, the District shall establish an average annual interest rate each month based on the previous twelve month period, and

WHEREAS, all pipelining of existing open laterals and canals shall be in accordance with the Rules and Regulations Governing Distribution and Use of Water, Regulation No. 51, and

WHEREAS, applications for the annual pipelining program must be received by the District prior to April 1 of each year (with the initial deadline for the 1993-94 program being April 1, 1993).

NOW, THEREFORE, on motion of Director Allen, seconded by Director Cox, BE IT HEREBY RESOLVED that fifty percent of all interest earned to date on the Account and fifty percent of the interest earned on an annual basis on the Account thereafter shall be reserved to fund the IID share of the cost of pipelining canals. Further, the interest earned annually, starting with 1993 and each year thereafter, shall be reduced by the amount of inflation for that year, before the interest earned is divided in half to make 50 percent available for the IID share of the cost of undergrounding pipes.

BE IT FURTHER RESOLVED, that pipelining canals shall be in accordance with Regulation No. 51.

BE IT FURTHER RESOLVED, the public agency portion of the cost share may be funded from the Account contingent upon execution of a three year repayment agreement with interest equal to one percentage point higher than the average annual interest rate received for the Account.

BE IT FURTHER RESOLVED, the developer portion of the cost share shall be based on estimated or actual cost by a contractor paying prevailing wages and may be funded from the Account contingent upon execution of a two year repayment agreement with adequate collateral security provisions and interest equal to three percentage points higher than the average annual interest rate received for the Account.

BE IT FURTHER RESOLVED, that Board action shall be required on an annual pipelining program submitted by staff by May 1 of each year.

PASSED AND ADOPTED this 19th day of January, 1993.

IMPERIAL IRRIGATION DISTRICT



By [Signature] President
By [Signature] Secretary

(AMENDED 01/19/93)

Copies: Mr. Shreves
Mr. Carter
Mr. Silva
Mrs. Fontaine
Mr. Hull
Office Services

24-95

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 14-94

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IMPERIAL IRRIGATION DISTRICT DECLARING THE
OFFICIAL INTENT OF THE IMPERIAL IRRIGATION
DISTRICT TO REIMBURSE ITSELF FOR CERTAIN
CAPITAL EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, the Imperial Irrigation District (the "District") intends to make capital improvements and continue to provide adequate drainage in the vicinity of the Salton Sea, to provide sufficient reservoir storage for irrigation return flows, and to pay current and potential legal costs associated with the Salton Sea more particularly described in Exhibit "A" attached hereto and incorporated herein and made a part hereof ("Salton Sea and Drain Water Quality Projects"); and

WHEREAS, the District expects to pay certain capital expenditures (the "Reimbursement Expenditures") in connection with the Salton Sea and Drain Water Quality Projects prior to the issuance of indebtedness for the purpose of financing costs associated with the Salton Sea and Drain Water Quality Projects on a long-term basis; and

WHEREAS, the District reasonably expects that debt obligations in an amount approximating \$20 million will be issued for the purpose of financing costs of the Salton Sea and Drain Water Quality debt obligations and for the purpose of reimbursing itself for the Reimbursement Expenditures; and

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the District to declare its reasonable official intent to reimburse prior expenditures of the Salton Sea and Drain Water Quality Projects with proceeds of subsequent borrowing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Imperial Irrigation District as follows:

Section 1. The Board of Directors of the District finds and determines that the foregoing recitals are true and correct.

Section 2. This resolution is adopted by the Board of Directors of the District solely for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations, and does not bind the District to make any expenditure, incur any indebtedness, or proceed with the Salton Sea and Drain Water Quality Projects.

Section 3. The Board of Directors of the District hereby declares the District's official intent to use proceeds of indebtedness to reimburse itself for the Reimbursement Expenditures.

Section 4. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 7th day of June 1994.

IMPERIAL IRRIGATION DISTRICT

By

President

By

Secretary

SS-COP.RES

cc Mr. Shreves

Mr. Carter

Mr. Hull

Mr. Silva

Ms. Fontaine

Office Services

EXHIBIT "A"

Salton Sea and Drain Water Quality Projects

Salton Sea costs associated with the development of plans; capital improvements of drain banks, pumping stations and dikes; land acquisition; expanded reservoir areas; current and potential legal costs; and drain water quality improvement projects involving data collection, data analysis, development of best management practices, and necessary operations, maintenance or other activities.....

\$20 million

24-96

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 15-94

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IMPERIAL IRRIGATION DISTRICT DECLARING THE
OFFICIAL INTENT OF THE IMPERIAL IRRIGATION
DISTRICT TO REIMBURSE ITSELF FOR CERTAIN
CAPITAL EXPENDITURES FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, the Imperial Irrigation District (the "District") intends to acquire and construct those certain pipelining facilities for the District and more particularly described in Exhibit "A" and Exhibit "B" attached hereto and incorporated herein and made a part hereof ("Future Pipelining Projects"); and

WHEREAS, the District expects to pay certain capital expenditures (the "Reimbursement Expenditures") in connection with the Future Pipelining Projects prior to the issuance of indebtedness for the purpose of financing costs associated with the Future Pipelining Projects on a long-term basis; and

WHEREAS, the District reasonably expects that debt obligations in an amount approximating \$10 million will be issued for the purpose of financing costs of the Future Pipelining Projects debt obligations and for the purpose of reimbursing itself for the Reimbursement Expenditures; and

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the District to declare its reasonable official intent to reimburse prior expenditures of the Future Pipelining Projects with proceeds of subsequent borrowing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Imperial Irrigation District as follows:

Section 1. The Board of Directors of the District finds and determines that the foregoing recitals are true and correct.

Section 2. This resolution is adopted by the Board of Directors of the District solely for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations, and does not bind the District to make any expenditure, incur any indebtedness, or proceed with the Future Pipelining Projects.

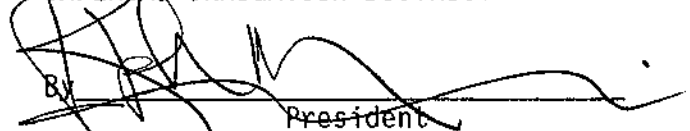
Section 3. The Board of Directors of the District hereby declares the District's official intent to use proceeds of indebtedness to reimburse itself for the Reimbursement Expenditures.

Section 4. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 21st day of June 1994.



IMPERIAL IRRIGATION DISTRICT

By  President

By  Secretary

PIPELINE.RES

cc Mr. Shreves Mr. Silva
 Mr. Carter Ms. Fontaine
 Mr. Hull Office Services

CANAL PIPELINING REQUESTS

Funding Commitment Received- No Funding Available

CITY	CANAL	LENGTH (Miles)
El Centro (1994)	DAHLIA CANAL -Evan Hewes Highway to Central Drain crossing	1.02
El Centro (1995)	DAHLIA CANAL -Interstate 8 to Evan Hewes Highway	1.40
Imperial (1995)	DAHLIA CANAL -Central Drain crossing to Aten Rd.	0.48
El Centro (1994)	DOGWOOD LATERAL 2 -Horne Rd. to Del. 30	0.12
El Centro (1994)	DOGWOOD LATERAL 2 -Del. 26 to Del. 28	0.29
County (1995)	DOGWOOD CANAL -Trentham Rd. to Rose Canal (Landfill)	0.83
Brawley (1995/1996)	MANSFIELD CANAL -Legion Rd. to Hwy. 86	0.22
Brawley (1995/1996)	STANLEY LATERAL 1 -Heading to Del. 73	0.50
El Centro (1996)	NORTH DATE CANAL -La Brucherie Rd. to 8th St.	1.00
Brawley (1996/1997)	MALAN CANAL -Ventana Ranch Subdivision	0.25
El Centro (1998)	LOTUS CANAL -Evan Hewes Highway to end	0.50
El Centro (1998)	LOTUS CANAL -Interstate 8 to Evan Hewes Highway	1.58
El Centro (1999)	DOGWOOD CANAL -Interstate 8 to Villa Rd.	2.09
	Total....	10.28

EXHIBIT A

CANAL PIPELINING REQUESTS

No Funding Commitment Received- No Funding Available

CITY	CANAL	LENGTH (Miles)
Holtville	PEAR 9TH -Toland Rd. to Melon Rd.	0.79
Imperial	DAHLIA CANAL -Aten Rd. to Neckel Rd.	0.97
Westmorland	TRIFOLIUM LATERAL 4A -Heading to Delivery 8	0.57
Heber	DOGWOOD CANAL -Delivery 36 to Delivery 38	0.48
Heber	DAFFODIL CANAL -Delivery 8 to Delivery 11	0.50
Brawley	BRYANT CANAL -Heading to Delivery 57A	1.08
Niland	S LATERAL -Delivery 6 to Delivery 9A	0.64
El Centro	DAHLIA CANAL -Delivery 26 to Interstate 8	0.45
El Centro	DOGWOOD LATERAL 2 -Del. 28 to Horne Rd.	0.23
Imperial	NEWSIDE CANAL -Del. 6 to Neckel Rd.	1.47
Holtville	10TH STREET DITCH -Heading to end	1.18
Holtville	11TH STREET DITCH -Heading to end	2.38
Imperial	DATE CANAL -Central Drain to Neckel Rd.	3.02
Calipatria	D LATERAL -Delivery 36 to Delivery 45	0.99
Imperial	DAHLIA LATERAL 6 -Heading to end	0.42
Imperial	DATE LATERAL 6 -Heading to end	1.50
Imperial	DATE LATERAL 7 -Heading to end	0.48
Imperial	DATE LATERAL 8 -Heading to end	0.50
Imperial	EBONY -Del. 5 to Del. 6	0.27
	Total....	17.92

EXHIBIT B

24-97

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 1-95

Emergency Need For Improvements Around the Salton Sea

WHEREAS, Section 9044 of the Public Resources Code allows Imperial Irrigation District to exercise the powers of a resource conservation district in any area within its boundaries in which there is no resource conservation district organized and operating; and

WHEREAS, there is no resource conservation district organized and operating in the area surrounding the Salton Sea that is within Imperial County; and

WHEREAS, the level of the Salton Sea has been rising since 1992; and

WHEREAS, the rate of increase in the level of the Salton Sea has exceeded previous estimates, partially due to the fact that there have been several large rain storms in the past few years, high humidity during summer months reducing evaporation, and increased crop irrigation; and

WHEREAS, the dikes currently surrounding the Salton Sea are in need of repair and improvement in order to avoid projected breaches in the dikes and flooding of adjoining property this spring; and

WHEREAS, the drains feeding into the Salton Sea are in need of repair and improvement in order to avoid projected breaches in the dikes, flooding of adjoining property, and interference with land productivity this spring; and

WHEREAS, some residential areas surrounding the Salton Sea need protection from the rising level of the Salton Sea in order to avoid flooding of homes this spring.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Imperial Irrigation District exercising the powers of a resource conservation district hereby resolves that there is an emergency need for the repair and improvement of the dikes and drains surrounding the Salton Sea, and for protection of some residential areas surrounding the Salton Sea.

PASSED AND ADOPTED this 7th day of February, 1995.

IMPERIAL IRRIGATION DISTRICT



By:

W. R. Condit
President

By:

[Signature]
Secretary

24-98

RESOLUTION NO. 4-90

IID/MWD AGREEMENT; INDIRECT COSTS

(January 9, 1990)

(Amended March 21, 1995)

WHEREAS, the Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water (Agreement) was entered into by Imperial Irrigation District (IID) and the Metropolitan Water District of Southern California (MWD) December 22, 1988, and

WHEREAS, Section 2.2. Indirect Costs states "Pursuant to Section 4.4, MWD will have paid to IID for indirect costs by the time of completion of construction and initiation of full operation of the program an amount of money equal to \$23 million," and

WHEREAS, Section 2.2 states further "This payment will be made as full compensation for the indirect costs and potential obligations of IID resulting from implementation of the program," and

WHEREAS, Section 2.2 states further "Such costs and obligations related to the conservation of water from the program include, but are not necessarily limited to, loss of hydroelectric power revenue; mitigation of adverse impacts on agriculture from increased salinity in the water; loss of revenues from reduced water deliveries; public information; lateral canal pipelining; modernization of ancillary features of the IID water supply system; environmental mitigation and litigation relating to the impact, if any, of the program on the water level or quality of the Salton Sea or the New and Alamo Rivers, to the extent such costs are not reimbursable by insurance; and liability related to operation and maintenance of the program to the extent it exceeds the insurance provided in Section 2.3 (b), " and

WHEREAS, emergencies may occur from time to time that require the Board to authorize use of Indirect Costs Funds, and

NOW, THEREFORE, on motion of Director Lyon, seconded by Director Cox,

BE IT HEREBY RESOLVED that the \$23 million referenced in Section 2.2. Indirect Costs in the Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water dated December 22, 1988, be placed into a trust fund.

BE IT FURTHER RESOLVED that spending may be authorized by the Board for emergencies or for other purposes as determined by the Board from the trust fund account.

BE IT FURTHER RESOLVED that Board approval shall be required in advance of each expenditure.

PASSED AND ADOPTED this 21st day of March, 1995.

IMPERIAL IRRIGATION DISTRICT



By W. R. Condit
President

By [Signature]
Secretary

(orig. 1/9/90
Rev. 3/21/95)

RES-4-90.AMD

cc Mr. McCullough
Mr. Silva
Mr. Carter
Ms. Fontaine
Office Services

24-99

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 4-95

IID 2000: Defining the Imperial Irrigation District's Role in Western Water Policy

WHEREAS, water is the vital natural resource of the Imperial Valley and the very foundation for all present and future economic development; and

WHEREAS, the Board of Directors of the Imperial Irrigation District (IID) recognizes that water is a valuable and scarce resource which should be put to reasonable and beneficial uses; and

WHEREAS, the Imperial Valley lacks the groundwater supply enjoyed by many other agricultural districts and communities throughout the West; and

WHEREAS, Imperial Valley's future agricultural, municipal and industrial demand for water is expected to grow significantly because:

- Agriculture has been, and will continue to be, central to the way of life and economic vitality of the Imperial Valley;
- Non-agricultural economic activity is a growing and significant component for the future economic base of Imperial Valley;
- Imperial County's population growth has been among the fastest in California and shows no signs of slowing;
- Economic developments in Mexico, accelerated by the implementation of the North American Free Trade Agreement, will continue to stimulate and diversify the Imperial Valley economy and will fuel future growth in agricultural and non-agricultural sectors;
- Local recreational needs for water continue to grow in the face of resident demand; and

WHEREAS, substantial capital investment in, and economic development of, the Imperial Valley has been made in reliance upon the security of the Law of the River and reliability of IID's Colorado River water rights; and

WHEREAS, IID, as trustee, has a fiduciary obligation to protect and promote the landowners' equitable and beneficial interest in the District's water supply and to provide reliable water service at reasonable water rates to users; and

WHEREAS, IID shares in the third and sixth priorities of California's Colorado River water entitlement pursuant to the 1931 Seven Party Agreement; and

WHEREAS, the 1934 Compromise Agreement subordinated Coachella Valley Water District's priority to IID's priority, and gives IID preferential use of the remaining 3.85 million acre-feet consumptive use entitlement after satisfaction of the first two priorities; and

WHEREAS, the U.S. Supreme Court's Decree in Arizona v. California confirmed IID's present perfected right of 2.6 million acre-feet per year; and

WHEREAS, state law vests the title to conserved water in the entity responsible for the conservation measures; and

WHEREAS, federal and western states' water policies seem to be evolving toward a market-based approach to water transfers in order to allow supplies to move toward higher-value use, thus enabling consumers to benefit from the lower prices that traditionally go hand-in-hand with free markets; and

WHEREAS, IID's water rights are threatened from time to time by federal and state regulatory and administrative initiatives which conflict with the Law of the River; and

WHEREAS, the IID believes that any state or federal initiatives affecting western water policy should strive to preserve or enhance:

- The invaluable and fragile resources of the Colorado River;
- The portfolio of laws and agreements which have evolved to protect this resource; and

WHEREAS, the IID believes that any attempts at government over-regulation or administrative reallocations of water will:

- Reduce the certainty of long held western water property rights;
- Hamper, if not preempt, the fragile evolution toward socially responsible, free market mechanisms and thus result in higher water prices to consumers;
- Lead to unnecessary conflict and litigation; and

WHEREAS, IID is continuing to engage in aggressive water conservation and transfer programs, such as:

- Concrete lining of over 1,100 miles of canals and laterals;
- Construction of seven regulating and storage reservoirs;
- Construction of interceptor canals and seepage recovery systems.
- System automation.
- Installation of tailwater recovery systems.
- Development of irrigation water management certificate program.
- IID/MWD Water Conservation Program;
- Agreement for All-American Canal Lining;
- Development of a proposed land fallowing and water reduction test program of 200,000 acre-feet; and

WHEREAS, the IID recognizes the potential conflicts that exist between water conservation measures and environmental impacts, and seeks to actively participate in developing optimal tradeoffs; and

WHEREAS, a growing demand for long-term, reliable water supplies in Southern California and Nevada continues; and

WHEREAS, the IID believes that adoption of a 100-year horizon for local and regional water planning results in the most mutually beneficial and realistic outcomes for urban and agricultural users; and

WHEREAS, the Board of Directors of IID realizes the importance of an opportunity for voluntary, market-based water transfers as a means to help meet these demands; and

WHEREAS, in an effort to optimize the management of the Imperial Valley's water resources, the Board of Directors of IID recognizes the need to be diligently mindful of the actions of potential customers and competitors in the emerging western water market; and

WHEREAS, the Board of Directors of IID plans to respond to these challenges and opportunities when beneficial for, and sensitive to, the long-term needs of Imperial Valley landowners, residents and businesses.

NOW, THEREFORE, BE IT RESOLVED that in conjunction with the aforementioned and in an effort to more effectively serve its constituents, the Board of Directors of IID shall:

1. Continue to put all of IID's water resources to reasonable and beneficial use in accordance with applicable law.

2. Proactively work with the U.S. Bureau of Reclamation, the California Department of Water Resources, and the State Water Resources Control Board to fully communicate IID's ongoing conservation efforts.

3. Diligently protect the future economic well-being of the Imperial Valley by ensuring that its water resources are put to their highest and best economic use.

4. Vigorously defend, protect and preserve IID's present perfected rights and its entitlements under the Seven Party Agreement, the Boulder Canyon Project Act contracts, and Compromise Agreement through active participation in federal and state regulatory and administrative initiatives.

5. Oppose any proposals or initiatives that threaten the current environmental and/or recreational amenities and benefits of the Colorado River.

6. Protect, on behalf of the District, all title and ownership of any and all waters conserved within the District.

7. Maintain and enhance the economic well-being of Imperial Valley and its residents by proactively promoting and supporting opportunities to transfer conserved water, if and when:

- The transfer is economically beneficial to Imperial Valley landowners and residents.
- Adverse third party impacts, if any, are appropriately addressed.
- Environmental impacts, if any, are deemed to be in compliance with existing federal and state law.

8. Explore alliances with other parties relative to:

- The protection of existing water rights and laws.
- The voluntary transfer of water.
- The issues and activities which affect California agriculture and Colorado River water and power users.
- Protection and enhancement of the environment.

9. Direct the District staff to take any and all actions which are necessary to implement this Resolution.

PASSED AND ADOPTED this 4th day of April, 1995.



IMPERIAL IRRIGATION DISTRICT

By W. R. Condit
President

By J. H. Carter
Secretary

24-100

IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 18-95

Principles of Understanding
with IID Water Users and the Public

WHEREAS, state law provides that the Imperial Irrigation District ("IID") holds the legal title to water and water rights in trust for the landowners within IID; and

WHEREAS, the Board of Directors of IID has recently adopted Resolution No. 4-95, a "Water Conservation and Transfer Study Process" and "Principles-Terms for a Transfer Arrangement" as part of its policy to vigorously defend, protect and preserve Imperial Valley's water rights and to ensure that agriculture has a viable and productive future in the Imperial Valley; and

WHEREAS, IID has entered into a Memorandum of Understanding with the San Diego County Water Authority ("Authority") agreeing to commence negotiations towards the consummation of an agreement whereby IID would make conserved water available for use by the Authority.

NOW, THEREFORE, BE IT RESOLVED:

1. No agreement will be approved until the water users and the public have had sufficient opportunity to review and comment on such agreement.
2. Any on-farm conservation project will be voluntary and provide the water users with an equal opportunity to participate in any on-farm water conservation and transfer program.

PASSED AND ADOPTED this 10th day of October, 1995.



IMPERIAL IRRIGATION DISTRICT

By W. R. Condit
President

By [Signature]
Secretary

Copies
Mr. Clinton
Mr. Carter
Mr. Silva
External Affairs
General Files

24-101

IMPERIAL RESOURCE CONSERVATION DISTRICT

BOARD RESOLUTION NO. 23 - 95

WHEREAS, Historically, USDA funding levels for cost-share of agricultural conservation practices (ACP) for each county has been determined by averaging prior years' allocations, and

WHEREAS, due to a reduction in ACP funds for 1996 the California State FSA Committee has changed the way ACP funds will be allocated which will require each FSA County Committee to develop a conservation proposal for submission to the State FSA Committee for possible funding; and

WHEREAS, proposals will be prioritized based on their conservation benefits and how they address critical resource problems; and

WHEREAS, the Imperial Irrigation District Board of Directors acting as the Resource Conservation District (RCD) for Imperial County wishes to express its support of the Imperial County FSA Committee's proposal identifying high soil salinity levels and pollution abatement as the most critical agricultural resource problems in Imperial County.

NOW, THEREFORE, BE IT RESOLVED that the Resource Conservation District for Imperial County fully supports the 1996 Conservation Proposal submitted to the California State FSA Committee by the Imperial County FSA Committee, in that Conservation Practice SP-35 Water Management for Pollution Control and Component U1A, Subsurface Drainage is a multi-beneficial practice that is considered to be of the highest priority in the Imperial Valley. Be it further resolved that this RCD is also supportive of the fact that without the continued cost-share support of the FSA's ACP program, the ability of local farmers to effectively leach highly saline subsurface drainage water from our soils will have an extremely adverse effect on Imperial County agriculture.

PASSED AND ADOPTED this 5th day of December 1995.

IMPERIAL RESOURCE CONSERVATION DISTRICT



BY: W. R. Condit

President

BY: [Signature]

Secretary

Copies
Mr. Clinton
Mr. Carter
Mr. Silva
External Affairs
General Files

24-102

**IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 2 - 96**

IID/MWD WATER CONSERVATION AGREEMENT - INDIRECT FUND

WHEREAS, Imperial Irrigation District (IID) and Metropolitan Water District of Southern California (MWD) entered into an Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water (Agreement) on December 22, 1988; and

WHEREAS, Section 2.2 of the Agreement provides that MWD pay to IID the sum of \$23 million, "as full compensation for the indirect costs and potential obligations of IID resulting from implementation of the program"; and

WHEREAS, the Board of Directors of IID (Board) has taken various actions pertaining to the Indirect Fund including use of interest earned on the fund for the pipelining of certain canals; and

WHEREAS, the Board believes it to be in the best interests of IID to have sufficient reserves for environmental and other impacts of the IID/MWD program; and

WHEREAS, emergencies may occur from time to time that require the Board to authorize borrowing of Indirect Cost Funds.

NOW, THEREFORE, BE IT RESOLVED that the Board initially authorized borrowing up to \$9 million for the Salton Sea emergency and does now authorize borrowing additional moneys for such emergencies such that no less than \$11.5 million is retained in the Indirect Fund.

BE IT FURTHER RESOLVED that all moneys borrowed from the Indirect Fund shall be repaid to that fund with all accrued interest, such that the \$23 million principal in the fund is restored.

BE IT FURTHER RESOLVED that no other sums from the Indirect Fund shall be expended for any purpose (except as provided herein) unless such expenditures shall first be approved by a resolution of the Board, in accordance with IID Resolution No. 62-88.

PASSED AND ADOPTED this 23rd day of January, 1996.



IMPERIAL IRRIGATION DISTRICT

by W. N. Condit
President

by [Signature]
Secretary

SS-IND.RES

cc Mr. Clinton
Mr. Silva
Mr. Carter
External Affairs

24-103

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 5 - 96

RESOLUTION DEFINING IMPERIAL IRRIGATION DISTRICT'S
GUIDELINES GOVERNING WATER TRANSFERS

WHEREAS, the Board of Directors of Imperial Irrigation District passed Resolution "IID 2000: Defining the Imperial Irrigation District's Role in Western Water Policy" on April 4, 1995; and

WHEREAS, Resolution IID 2000 stated IID's intent to diligently protect the future economic well-being of the Imperial Valley, while at the same time enhancing the economic well-being of Imperial Valley and its residents by proactively promoting and supporting opportunities to transfer conserved water, if specified prerequisites are met; and

WHEREAS, in order to satisfy the specified prerequisites, the transfer must be economically beneficial to Imperial Valley; adverse third party impacts, if any, must be appropriately addressed; and environmental impacts, if any, must be deemed to be in compliance with existing federal and state law; and

WHEREAS, in order to further define the circumstances under which water transfers may be made from Imperial Valley, the Board of Directors of the Imperial Irrigation District believes it is necessary to further define IID's guidelines governing water transfers from IID.

NOW, THEREFORE, BE IT RESOLVED that the following guidelines further define the Imperial Irrigation District's water transfer policy and are in addition to, not instead of, guidelines enumerated in Resolution IID 2000:

- Any water conservation and transfer program should have minimal adverse third party impacts and, preferably, no adverse third party impacts;
- IID is not in favor of a fallowing program - any water conservation and transfer program should focus on other methods of conservation;
- There will be no water transfers by individual landowners because IID holds legal title to the water in trust for the landowners; and
- All participation would be voluntary - no farmer would be required to participate in the conservation and transfer program.

PASSED AND ADOPTED this 6th day of February, 1996.

IMPERIAL IRRIGATION DISTRICT



By:

W. R. Condit
William R. Condit, President

By:

John Penn Carter
John Penn Carter, Secretary

cc Mr. Clinton
Mr. Carter
Mr. Silva
External Affairs
General Files

24-104

IMPERIAL IRRIGATION DISTRICT

Resolution No. 9-96

SUPPORTING SB 900: WATER RESOURCES AND DELTA RESTORATION ACT

WHEREAS, SB 900, a bond measure targeted for the November 1996 ballot, is a step towards establishing reliable water sources throughout California; and

WHEREAS, everyone stands to gain from passage of SB 900 because it promotes the health of both California's economy and environment; and

WHEREAS, funding will be made available for agricultural water systems to attain a more reliable water supply with the construction of drainage and other water conservation projects; and

WHEREAS, business and water agencies commissioned a statewide opinion survey on water quality issues and found tremendous support for the concept that a reliable water supply benefits the California economy.

NOW, THEREFORE, BE IT RESOLVED that the Imperial Irrigation District Board of Directors hereby officially supports the passage of SB 900 in the California legislature and the adoption of the bond measure by the California electorate in November, 1996.

PASSED AND ADOPTED this 14th of May, 1996.

IMPERIAL IRRIGATION DISTRICT



By W. R. Condit
President

By [Signature]
Secretary

RES-9-96

Copies: Mr. Clinton
Mr. Carter
Mr. Moore
External Affairs
General Files

24-105

IMPERIAL IRRIGATION DISTRICT
DELIVERY GATE WATER USE HISTORY

Resolution No. 12-96

WHEREAS, Imperial Irrigation District (IID) and San Diego County Water Authority entered into negotiations for a water transfer program that might include on-farm water conservation; and

WHEREAS, one element of an on-farm water conservation program may include voluntary allocation of water use by delivery gate based upon historical average use; and

WHEREAS, the Water Department maintains a water use record for every delivery gate; and

WHEREAS, IID needs to insure that irrigation water in excess of that considered reasonable and beneficial not be applied in order to increase the delivery gate water history base.

NOW, THEREFORE, BE IT RESOLVED that in the event that an on-farm water conservation program will include allocation of water delivery by gate, that history will not include any records of water delivery accrued after January 1, 1996.

PASSED AND ADOPTED this 28th day of May, 1996.



IMPERIAL IRRIGATION DISTRICT

by W. R. Condit
President

by [Signature]
Secretary

24-106

San Diego County Water Authority
and
Imperial Irrigation District

JOINT RESOLUTION

Addressing

Cooperative Water Conservation and Transfer Program

This Joint Resolution is adopted by the San Diego County Water Authority ("Authority") this 23 day of July, 1996, and the Imperial Irrigation District ("District") this 23 day of July 1996. The Authority and the District are sometimes referred to in this resolution as the "Parties" and as the "Agencies."

RECITALS

WHEREAS, on September 19, 1995, the Parties entered a Memorandum of Understanding memorializing their intention to jointly explore the viability of a cooperative program for water conservation within the District and for the delivery of a portion of the District's entitlement to Colorado River water to the Authority;

WHEREAS, the District seeks to protect the District's water rights and improve the economic well being of the Imperial Valley by conserving water and promoting and supporting opportunities for the delivery of water supplies to the Authority;

WHEREAS, the Authority seeks a long-term water supply of 500,000 acre-feet to allow for appropriate long-term planning and that is reliable, certain and specific as to quantity and quality and affordable and certain as to cost to meet San Diego County's need, as well as for the general well being of Southern California;

WHEREAS, the Parties have committed themselves to an open and complete dialog with those who would be impacted through such a program;

WHEREAS, the Boards of Directors of the Agencies have provided policy direction to their respective staffs to develop the essential terms of the agreements which would implement such a program;

WHEREAS, staffs have conducted technical studies and participated in extensive public outreach programs to identify a possible framework for program implementation;

WHEREAS, staffs have prepared a draft of "Summary of Draft Terms" for consideration by the Boards of Directors and the broader communities of interest; and

WHEREAS, the Parties desire that the Summary of Draft Terms be given broad review and consideration and, based upon the outcome of that review, possibly form the basis for the final agreements necessary for implementation of a Cooperative Water Conservation and Transfer Program.

NOW, THEREFORE, BE IT RESOLVED, that the staffs of the Authority and the District are directed to proceed as follows:

1. Disseminate broadly the draft Summary of Draft Terms and seek the views of interested parties as to any areas of concern which the Boards of Directors of the Agencies should take into consideration as they act in the future;
2. Brief the Boards of Directors of the Agencies on the input received from interested parties; and
3. Based upon the results obtained from actions 1 and 2, above, prepare a form of such final agreements that would be necessary for implementation.

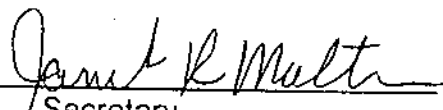
IN WITNESS THEREOF, the Parties have approved this Joint Resolution as of the day and year first written above.

SAN DIEGO COUNTY WATER AUTHORITY

IMPERIAL IRRIGATION DISTRICT

By: 
Mark Watton, Chairman

By: 
William R. Condit, President

ATTEST: 
Secretary

ATTEST: 
Secretary

24-107

IMPERIAL IRRIGATION DISTRICT
Resolution No. 18-96

Authorizing Loan of Funds from the Indirect Fund to Fund IID's 1996 Participation
in the Water Conservation and Transfer Program

WHEREAS, the Imperial Irrigation District (IID) and the Metropolitan Water District of Southern California (MWD) entered into an Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water (Agreement) on December 22, 1988; and

WHEREAS, Section 2.2 of the Agreement provides that MWD pay to IID the sum of \$23 million "as full compensation for the indirect costs and potential obligations of IID resulting from implementation of the program"; and

WHEREAS, the Board of Directors of IID (Board) has taken various actions pertaining to the Indirect Fund including use of interest earned on the fund for the pipelining of certain canals; and

WHEREAS, the Board believes it to be in the best interest of IID to have sufficient reserves for environmental and other impacts of the IID/MWD program; and

WHEREAS, situations may occur from time to time that require the Board to authorize borrowing from the Indirect Fund.

NOW, THEREFORE, BE IT RESOLVED that the IID Board hereby authorizes borrowing \$600,000 from the Indirect Fund for calendar year 1996 activities associated with the proposed IID/San Diego County Water Authority Water Conservation and Transfer Program to be repaid with interest from future water transfer revenues.

BE IT FURTHER RESOLVED that no other sums from the Indirect Fund shall be expended for any purpose (except as provided herein) unless such expenditures shall first be approved by a resolution of the Board in accordance with IID Resolution No. 62-88.

PASSED AND ADOPTED this 23rd day of July 1996.



IMPERIAL IRRIGATION DISTRICT

By: W.R. Condit
President

By: [Signature]
Secretary

SDCWA.RES

Copies: Mr. Clinton, Mr. Carter, Mrs. Fontaine, Mr. Moore, External Affairs, General Files

24-108

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 3-97

RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT TO ESTABLISH A PARTNERSHIP INITIATIVE BETWEEN IMPERIAL IRRIGATION DISTRICT AND U.S. BUREAU OF RECLAMATION

WHEREAS, U.S. Bureau of Reclamation (Reclamation) is seeking to establish partnership initiatives with water agencies and other stakeholders to cooperatively identify and solve water resource and related land management challenges confronting the western states; and

WHEREAS, the Imperial Irrigation District (IID) holds its Colorado River water rights as a trustee on behalf of Imperial Valley landowners and has a fiduciary obligation to protect the landowners' interests, promote equitable and reasonable beneficial use of IID's water supply, and provide reliable water service to Imperial Valley water users; and

WHEREAS, IID believes it would be beneficial to enter into a cooperative agreement with Reclamation to further develop and enhance water resource management in the Lower Colorado River Basin.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. The Memorandum of Agreement to Establish a Partnership Initiative Between Imperial Irrigation District and U.S. Bureau of Reclamation (MOA), a copy of which is attached hereto, is hereby approved.
2. IID's President is authorized to execute the MOA jointly with Reclamation at a time and place mutually agreed upon.
3. IID's General Manager is directed to send a copy of this Resolution to Reclamation's Commissioner and Regional Director, Lower Colorado Region.

PASSED AND ADOPTED this 21st day of January, 1997.



IMPERIAL IRRIGATION DISTRICT

By Donald A. Cox
President

By [Signature]
Secretary

24-109

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 16-97

Emergency Need For Improvements Around the Salton Sea.

WHEREAS, Section 9044 of the Public Resources Code allows Imperial Irrigation District to exercise the powers of a resource conservation district in any area within its boundaries in which there is no resource conservation district organized and operating; and

WHEREAS, there is no resource conservation district organized and operating in the area surrounding the Salton Sea that is within Imperial County; and

WHEREAS, the level of the Salton Sea is anticipated to rise to a record level in 1998 due to El Niño; and

WHEREAS, the dikes currently surrounding the Salton Sea are in need of upgrading and improvement in problem areas; and

WHEREAS, over 3,000 acres of agricultural land and four geothermal units near the Salton Sea need protection from the rising level of the Salton Sea in order to avoid flooding of these properties this year.

WHEREAS, the Imperial Irrigation District intends to install Fallback diking to minimize losses due to potential breaches in the dikes from El Niño rains and high winds; and

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Imperial Irrigation District exercising the power of a resource conservation district hereby resolves that there is an emergency need for the upgrading and improvement of the Salton Sea dikes surrounding the Salton Sea and for the installation of Fallback diking for protection of agricultural areas and four geothermal units near the Salton Sea.

PASSED AND ADOPTED this 2nd day of December, 1997

IMPERIAL IRRIGATION DISTRICT



By: _____

President

By: _____

Secretary

24-110

Resolution No. 5-98

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL
IRRIGATION DISTRICT APPROVING A CONTRACT WITH THE
UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION FOR CONSTRUCTION,
OPERATION AND MAINTENANCE OF THE EAST
MESA GROUNDWATER RECHARGE
TEST PROGRAM**

WHEREAS, water is a vital natural resource of the Imperial Valley as well as of the other Colorado River water users in the State of California, and the very foundation for all present and future economic development in the southern California; and

WHEREAS, the Imperial Valley lacks the groundwater supply enjoyed by many other agricultural districts and municipal areas throughout the West; and

WHEREAS, the Imperial Irrigation District (IID) and the Bureau of Reclamation recognize that water is a valuable scarce resource which should be put to reasonable and beneficial use; and

WHEREAS, on September 23, 1997, the IID Board of Directors approved a Mitigated Negative Declaration for the East Mesa Groundwater Recharge Test Program in order to evaluate the potential use of the Old Coachella Canal for groundwater recharge; and

WHEREAS, IID wishes to construct, operate and maintain a groundwater recharge test facility on the East Mesa on property managed by the Bureau of Reclamation; and

WHEREAS, IID and the Bureau of Reclamation have reached agreement as to the terms upon which IID may construct, operate and maintain a groundwater test facility on the East Mesa.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

The Board of Directors of IID hereby approves Contract No. 8-07-34-L1059 which sets forth the terms for construction, operation and maintenance of a groundwater recharge test facility on the East Mesa, and authorizes its president to execute the same on behalf of IID.

PASSED AND ADOPTED this 10th day of February 1998.



IMPERIAL IRRIGATION DISTRICT

By

President

By

Secretary

24-111

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 8-98

Emergency Need For Drain Improvements Around the Salton Sea

WHEREAS, Section 9044 of the Public Resources Code allows Imperial Irrigation District to exercise the powers of a Resource Conservation District in any area within its boundaries in which there is no Resource Conservation District organized and operating; and

WHEREAS, there is no resource conservation district organized and operating in the area surrounding the Salton Sea that is within Imperial County; and

WHEREAS, the level of the Salton Sea has been rising since 1992; and

WHEREAS, the rate of increase in the level of the Salton Sea has exceeded previous estimates, partially due to the fact that there have been several large rain storms, including tropical storm Nora in September 1997 and during this winter's El Niño climatic influence, high humidity during summer months reducing evaporation, and increased crop irrigation; and

WHEREAS, the drains feeding into the Salton Sea are in need of constant repair and improvement in order to avoid projected breaches in the dikes, flooding of adjoining property, and interference with land productivity this spring; and

WHEREAS, the proposed dams to be located within the drains to prevent the Salton Sea intrusion requires compliance with Section 404 of the Clean Water Act; and

WHEREAS, the Imperial Irrigation District has submitted a Section 404 permit application on November 24, 1997 to the US Army Corps of Engineers for damming and pumping of these drains; and

WHEREAS, the US Army Corps of Engineers has "established an interim regional General Permit No. 52 for emergency actions to provide an expedited response to public agencies and private parties for necessary emergency flood protection measures in waters of the United States . . . where there is an imminent threat to life or property . . . during the anticipated El Niño situation of the winter and spring of 1997-1998;" and

WHEREAS, the Imperial Irrigation District filed a Notice of Exemption on February 3, 1995 for these actions as an Emergency as cited in California Public Resources Code Sections 21080(4) and 21060.3 and in compliance with the California Environmental Quality Act.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Imperial Irrigation District exercising the powers of a Resource Conservation District hereby resolves that there is an emergency need for the repair and improvement of the drains surrounding the Salton Sea.

PASSED AND ADOPTED this 10th day of March, 1998.



IMPERIAL IRRIGATION DISTRICT

By: _____

President

By: _____

Asst. Secretary

24-112

**IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 10 -98**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL IRRIGATION DISTRICT ADOPTING FINDINGS, AUTHORIZING EXECUTION OF AGREEMENT FOR TRANSFER OF CONSERVED WATER, ESTABLISHING A PROCESS FOR DETERMINING MITIGATION OF THIRD PARTY AND ENVIRONMENTAL IMPACTS, AND ESTABLISHING PROCEDURES FOR DEVELOPMENT OF A WATER CONSERVATION PROGRAM, INCLUDING GUIDELINES FOR LANDOWNER PARTICIPATION

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, IID has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this century and having been recognized by the State of California, the Congress, the Supreme Courts of the United States and the State of California, and by other individuals and entities; and

WHEREAS, the laws of the State of California encourage conservation of water and voluntary arrangements that allow the title to conserved water to remain with the entity conserving the water and allow conserved water to be used by others who have a need for the water; and

WHEREAS, IID has previously resolved to diligently protect the present and future economic well-being of the Imperial Valley, while at the same time enhancing the economic well-being of Imperial Valley and its residents by proactively promoting and supporting opportunities to transfer conserved water, if adequate funding is received and specified prerequisites are met; and

WHEREAS, IID has previously resolved that any transfer of conserved water must be economically beneficial to Imperial Valley; that adverse third party impacts, if any must be appropriately addressed; and that environmental impacts, if any, must be assessed in compliance with existing federal and state law; and

WHEREAS, the temporary transfer of conserved water will enable the IID and the people of the Imperial Valley to use less water while accomplishing the same purposes, will assist in protecting and strengthening the water rights of IID and its landowner beneficiaries, will produce an economic stimulus that will benefit the entire Imperial Valley; and will further fulfill the mandate that all water be put to reasonable and beneficial use; and

WHEREAS, representatives of the San Diego County Water Authority (San Diego) and IID have negotiated an Agreement for Transfer of Conserved Water (Agreement) whereby San Diego would pay for water conserved by IID, if any, and its landowner beneficiaries; and

WHEREAS, the Agreement provides that before it becomes effective, the following conditions must be satisfied:

1. Completion of the environmental review process in compliance with applicable state and federal environmental requirements, as set forth in the Agreement;

2. Entering into enforceable contracts with participating landowners for a minimum conservation of 130,000 acre-feet per year within 120 days following completion of environmental review and certification of the final EIR;
3. San Diego obtaining from the Metropolitan Water District of Southern California by agreement, or otherwise, rights to wheel the conserved water under the terms set forth in the Agreement;
4. Approval of the transaction by the California State Water Resources Control Board and the Secretary of the Interior as set forth in the Agreement; and

WHEREAS, the Agreement also provides that fallowing will not be a permitted water conservation effort under IID's contracts with its contracting landowners; and

WHEREAS, the Board of Directors of IID has reviewed the terms and conditions of the Agreement; and

WHEREAS, the Board of Directors of IID has reviewed and considered the memorandum prepared by its staff and consultants and the other information presented at the meeting; and

WHEREAS, the Board of Directors recognizes and confirms that implementation of the Agreement is expressly contingent upon compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) and upon issuance of all other required federal and state approvals; and

WHEREAS, the Board of Directors recognizes and confirms that no decision can be made to carry out any project within the meaning of CEQA or NEPA unless and until the environmental review and assessment required by CEQA and NEPA has been completed; and

WHEREAS, the Board of Directors recognizes and confirms that the Agreement shall serve only as an initial definition of the project for purposes of submission for review pursuant to CEQA and NEPA, and execution of the Agreement is therefore only a preliminary decision necessary to produce a legally adequate assessment; and

WHEREAS, the Board of Directors recognizes and confirms that as required by CEQA and NEPA any environmental impact report (EIR), environmental impact statement (EIS), or joint EIR/EIS shall include identification and meaningful evaluation of a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and mitigation measures which would lessen any significant adverse effects of the project, and shall also include evaluation of a no project alternative.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the findings and recommendations set forth in the General manager's memorandum dated April 27, 1998, are adopted and hereby incorporated as fully set forth herein.
2. That the Board of Directors has determined that execution of the Agreement is not approval of a project as defined in Sections 15352 and 15378 of the State CEQA Guidelines, because execution of the Agreement does not commit the IID to any course of action with respect to the activities described in the Agreement, and that execution of the Agreement does not require CEQA compliance and is exempt from CEQA pursuant to Section 15061 of the State CEQA Guidelines and applicable case law.

3. That the Board of Directors of IID authorizes the filing of a Notice of Exemption pursuant to State CEQA Guidelines in connection with execution of the Agreement.

4. That the Board of Directors' determination that execution of the Agreement is not approval of a project requiring CEQA compliance is not intended and should not be deemed to be a determination that any activities undertaken by the IID pursuant to the Agreement are exempt from the CEQA review process.

5. That the Board of Directors of IID hereby approves execution of that certain document entitled Agreement for Transfer of Conserved Water by and between the IID and the Authority and authorizes IID's President to execute the same on behalf of IID.

6. That, by authorizing execution of the Agreement, the Board of Directors of IID is not committing itself to any activities described in the Agreement unless and until it determines that the requirements of CEQA have been fully satisfied.

7. That the Board of Directors of IID authorizes the commitment of staff and resources sufficient to conduct a thorough and legally sufficient environmental assessment of the activities described in the Agreement in compliance with CEQA and directs the President, General Manager and Legal Counsel to undertake the activities and responsibilities of the Lead Agency for purposes of such assessment.

8. The Board of Directors of IID finds that the temporary transfer of conserved water will enable the IID and the people of the Imperial Valley to use less water while accomplishing the same purposes, will assist in protecting and strengthening the water rights of IID and its landowner beneficiaries will produce an economic stimulus that will benefit the entire Imperial Valley; and will further fulfill the mandate that all water be put to reasonable and beneficial use.

9. To assist in the development of a water conservation plan, including broadly acceptable landowner participation terms, staff is directed to submit at the June 9, 1998 Board meeting a proposed resolution defining the process to be used in developing such plan including associated public involvement processes.

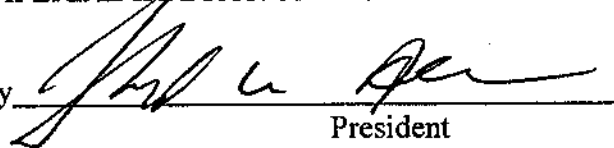
10. The President, General Manager and Legal Counsel of IID shall take all appropriate action to conduct a legally sufficient environmental assessment of the activities described in the Agreement and to otherwise perform IID's obligations under the Agreement in compliance with applicable laws.

PASSED AND ADOPTED, this 28th day of April, 1998



IMPERIAL IRRIGATION DISTRICT

By


President

By


Secretary

24-113

X

**IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 14-98**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL
IRRIGATION DISTRICT DECLARING THE OFFICIAL INTENT OF THE
DISTRICT TO REIMBURSE ITSELF FROM THE PROCEEDS OF
INDEBTEDNESS FOR CERTAIN EXPENDITURES ASSOCIATED
WITH SATISFYING THE CONDITIONS ASSOCIATED WITH THE
APRIL 29, 1998 WATER CONSERVATION AND TRANSFER
AGREEMENT WITH THE SAN DIEGO COUNTY WATER AUTHORITY**

WHEREAS, on April 29, 1998, the Imperial Irrigation District (the "District") entered an agreement providing for the transfer of conserved water to the San Diego County Water Authority, subject to the satisfaction of conditions, as more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereof (the "Agreement"); and

WHEREAS, the District expects to pay certain expenditures (the "Reimbursement Expenditures") from the issuance of indebtedness for the purpose of financing on a long-term basis certain costs associated with preparing the Agreement and satisfying the conditions under the Agreement; and

WHEREAS, certain costs associated with preparing the Agreement and satisfying the conditions under the Agreement may include but are not limited to the costs and expenses incurred by staff, legal counsel and consultants in preparing and filing legal notices and pleadings, implementing pilot demonstration water conservation programs, complying with requirements of State and Federal environmental laws, obtaining necessary regulatory and administrative agency approvals, and providing ongoing management and administration of such activities; and

WHEREAS, it is appropriate that certain costs associated with preparing the Agreement and satisfying the conditions under the Agreement be borne by those participating in implementing the Agreement rather than water users throughout the District; and

WHEREAS, should such indebtedness be incurred for the purpose of financing on a long-term basis certain costs associated with preparing the Agreement and satisfying the conditions under the Agreement, the District would intend to use some or all revenues from the Agreement to retire such indebtedness; and

WHEREAS, the District reasonably expects that debt obligations in an amount not expected to exceed \$9,000,000 will be issued for the purpose of financing on a long-term basis the costs of implementing the Agreement and that certain of the proceeds of such debt obligations will be used to reimburse itself for the Reimbursement Expenditures; and

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the District to declare its reasonable official intent to reimburse prior expenditures for the Agreement with proceeds of a subsequent borrowing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE IMPERIAL IRRIGATION DISTRICT, AS FOLLOWS:

Section 1. The Board of Directors of the District finds and determines that the foregoing recitals are true and correct.

Section 2. This resolution is adopted by the Board of Directors of the District solely for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations, and does not bind the District to make any expenditure, incur any indebtedness, or proceed with implementing the Agreement.

Section 3. The Board of Directors of the District hereby declares the District's official intent to use proceeds of indebtedness to reimburse itself for the Reimbursement Expenditures.

Section 4. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 9th day of June, 1998.



IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

24-114

IMPERIAL IRRIGATION DISTRICT
Resolution No. 16-98

Repair of Tailwater Boxes

WHEREAS, the Board of Directors of Imperial Irrigation District has appointed a Water Conservation Advisory Board to assist the IID in recognizing matters relating to water problems; and

WHEREAS, the Water Conservation Advisory Board has adopted Bylaws with the approval of the IID; and

WHEREAS, said Bylaws state in Section 1.01 therein: "The purpose for which this board is organized is to recommend to the board of directors of Imperial Irrigation District and the Imperial Valley farming community an expanded program of irrigation efficiency in system operation and farming practices."; and

WHEREAS, the Water Conservation Advisory Board has met from time to time in keeping with said Bylaws and has made certain recommendations to the IID Board of Directors.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Imperial Irrigation District Board of Directors adopt the following recommendation of the Water Conservation Advisory Board as practical and essential to the IID's water conservation program:

Imperial Irrigation District will notify the landowner and the tenant, if any, when his surface drain box is in need of repair to facilitate an accurate measurement of surface spill. Staff will contact the entity farming the property 30 days after notice is given and again before the IID performs any repairs. After **60 days**, if the necessary repairs have not been completed, the IID will repair the drain box and bill the landowner for the time and materials to repair the structure.

PASSED AND ADOPTED this 29th day of June 1998.



IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

(Supersedes Res. No. 18-88 adopted July 12, 1988
which rescinded Res. No. 24-84 adopted April 10, 1984)

TAILWATER

24-115

**IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 17 -98**

PROCEDURES FOR DEVELOPING WATER CONSERVATION PLAN

WHEREAS, on April 28, 1998, the Imperial Irrigation District ("IID" or "the District") adopted Resolution No. 10-98 authorizing execution of a Water Conservation and Transfer Agreement (the Agreement) with the San Diego County Water Authority and said Agreement was executed on April 29, 1998; and,

WHEREAS, Subpart 9 of Resolution 10-98 includes the following direction to staff:

"9. To assist in the development of a water conservation plan, including broadly acceptable landowner participation terms, staff is directed to submit at the June 9, 1998 Board meeting a proposed resolution defining the process to be used in developing such plan including associated public involvement processes;" and,

WHEREAS, said Water Conservation Plan needs to include on farm conservation, may include system conservation, may require community impact mitigation and may involve establishment of compensation guidelines; and

WHEREAS, the Imperial Valley community has asked that the IID Board establish a definition of fallowing ("no fallowing rule") as it applies to on-farm conservation by participating landowners; and

WHEREAS, any no fallowing rule should preclude a participating landowner from receiving compensation if he/she fallows land for the purpose of transferring water; and

WHEREAS, there is a need for participation by landowners and farmers in developing the Water Conservation Plan (Plan) and the IID Board has previously established a 15-person Water Conservation Advisory Board (WCAB) which is meeting that need; and

WHEREAS, two IID Board Study Groups have been developing technical water conservation concepts and the work of those two Study Groups needs to be accelerated and coordinated; and

WHEREAS, there is a need for participation by representatives of local governmental agencies and community-based organizations in (1) assessing possible community benefits and impacts of the Water Conservation Plan, (2) recommending possible community impact mitigation measures, and (3) memorializing their work for consideration in the EIR/EIS process; the IID Board therefore desires to establish a 15-person Community Advisory Commission (CAC) to meet these needs; and

WHEREAS, development of the Water Conservation Plan needs to be coordinated with and integrated into the environmental compliance actions required by the Agreement; and,

WHEREAS, there is a need to establish timelines for completing each component of the Water Conservation Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- A. There is hereby established a 15-person Community Advisory Commission (CAC) to advise the District in formulating a Water Conservation Plan which is responsive to Imperial Valley community needs;
- Said CAC is to have members nominated by local governmental and community based organizations with nominations closing on August 14, 1998; and
 - IID Board members to each select, from those nominated, three CAC members to be identified by the August 18, 1998 Board meeting; and
 - The responsibilities of said CAC are to (1) assess possible community benefits and impacts of the Water Conservation Plan, (2) recommend possible community impact mitigation measures, and (3) memorialize their work for consideration in the EIR/EIS process; and
 - Said CAC to meet, select officers, conduct business to accomplish its responsibilities and receive the support and assistance of IID staff, as necessary and appropriate; and
 - Said CAC to be disbanded when the final EIR is certified by the IID Board.
- B. In order to coordinate and accelerate Study Group, WCAB and CAC activities the IID Board will, when appropriate, schedule Water Conservation Plan workshops on the Monday evenings before the first regularly scheduled Board meetings of each month;
- Said workshops to be held in the IID Auditorium at 5:00 p.m.; and
 - Status reports will be provided by the Study Groups, the WCAB and the CAC.
- C. Based upon the above actions, the following schedule objectives are established:
- Definition of fallowing (draft) to be released in mid August, public hearings to be held in mid September with final definition of fallowing to be adopted in October 1998.
 - On-Farm Participation and Verification Guidelines (draft) to be released in mid-September 1998, Public Hearings on Guidelines to be held in October 1998 with Final Guidelines to be tentatively adopted in November 1998;
 - System Conservation Measures Strategy (draft) to be released in October 1998, Public Hearings on Strategy to be held in November 1998 with Strategy to be tentatively adopted in December 1998;
 - Compensation Guidelines, if any, including funding for on-farm conservation measure, system conservation, if any, District costs and community needs, if any, (draft) to be released in November 1998, Public Hearings on Procedures to be held in December 1998 and Procedures to be tentatively adopted in January 1999;

- Form of IID/Landowner Participation Agreement (draft) to be released in March 1999 Public Hearing on Agreement to be held in April 1999 and Agreement to be tentatively adopted in June 1999.
- Solicitation of interest in participation in the On-Farm Component of the Water Conservation Plan to occur in July 1999 with responses to be received 90 days later;
- Revisions of the tentative components of the Water Conservation Plan in response to environmental scoping, impact analysis, and mitigation considerations beginning in October 1999 and continuing through completion of the EIR process;
- Water Conservation Plan to be approved and IID/Landowner Participation Agreements to be executed after EIR/EIS is certified as described in the Agreement.

D. To the extent practicable, the President, General Manager and Legal Counsel shall take all appropriate actions to develop the Water Conservation Plan in the manner described herein.

PASSED AND ADOPTED this 14th day of July 1998.



IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By Gloria A. Rivera
Asst. Secretary

DEVELOP PLAN

24-116

IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 3-99

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL
IRRIGATION DISTRICT AUTHORIZING THE USE OF THE IID/CVWD/DOI
MEMORANDUM OF UNDERSTANDING REGARDING QUANTIFICATION
OF COLORADO RIVER RIGHTS AS A BASIS FOR FINALIZING A NEW
QUANTIFICATION AGREEMENT AMONG THE PARTIES.

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, the IID has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this century and having been recognized by the State of California, the Congress, the Secretary of the Interior, the Supreme Courts of the United States and the State of California, and by other individuals and entities; and

WHEREAS, the IID shares in the 3rd and 6th priorities of California's Colorado River entitlement pursuant to the 1931 Seven-Party Agreement and IID's 1932 contract for permanent water delivery with the Department of the Interior; and

WHEREAS, the 1934 Compromise Agreement subordinates Coachella Valley Water District's (CVWD") right to use Colorado River water to the IID's rights under priorities 3 and 6; and

WHEREAS, the CVWD has in the past and continues to allege that by reason of alleged unreasonable or nonbeneficial use of water by the IID, historical use patterns by the IID, the long-term overdraft of the groundwater basin within CVWD by CVWD water users, and the Secretary of the Interior's reserved powers to reallocate within California the rights to Colorado River water, that the IID's rights to Colorado River water should be diminished and the rights of CVWD enhanced; and

WHEREAS, the IID asserts that it has and continues to reasonably and beneficially use Colorado River water, that its priority for such use has and remains prior to CVWD's rights to such use, that CVWD's use of Colorado River water and allowance of a sustained groundwater overdraft is less reasonable and beneficial than use by the IID, and that the Secretary of the Interior has no power to reallocate IID's water rights to CVWD; and

WHEREAS, the IID asserts that state and federal law encourages the conservation of water and voluntary arrangements that allow the title to conserved water to remain with the entity conserving the water and allow conserved water to be used by others who have a need for the water, and that the IID is authorized to utilize such laws to transfer newly conserved Colorado River water to the San Diego County Water Authority; and

WHEREAS, the CVWD denies the applicability of state law to the IID's Colorado River rights and asserts that the 1934 Compromise Agreement and the 1931 Seven-Party Agreement allow CVWD to capture any newly-conserved water created within the IID, even if paid for by the San Diego County Water Authority; and

WHEREAS, although the IID remains committed to the correctness of its position in the above-described disputes with CVWD, the IID has in the past unsuccessfully attempted to negotiate a mutually acceptable settlement agreement with CVWD that would avoid the cost, delay and uncertainty inherent in litigating any of the above-described disputes; and

WHEREAS, through the mediation assistance and participation of the Department of the Interior by and through David J. Hayes, Counselor to the Secretary, significant progress has been made in identifying a new quantification framework that includes the sale of conserved water from the IID to CVWD and that may serve as the basis for successfully negotiating a mutually acceptable settlement agreement; and

WHEREAS, the IID has previously resolved to diligently protect and vigorously defend and take all actions necessary to protect and preserve the IID's water rights; and

WHEREAS, the IID has previously resolved to diligently protect the present and future economic well-being of the Imperial Valley, while at the same time enhancing the economic well-being of Imperial Valley and its residents, by proactively promoting and supporting opportunities to transfer conserved water if adequate funding is received and specified prerequisites are met; and

WHEREAS, the IID has previously resolved that any transfer of conserved water must be economically beneficial to Imperial Valley; that adverse third party impacts, if any, must be appropriately addressed; and that environmental impacts, if any, must be assessed in compliance with existing federal and state law; and

WHEREAS, any settlement agreement and action thereunder will be expressly contingent upon compliance with the California Environmental Quality Act and the National Environmental Policy Act, as applicable, as well as contingent on any other applicable federal and state approvals;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Board of Directors of the IID authorizes the use of the IID/CVWD/DOI Memorandum of Understand Regarding Quantification of Colorado River Rights by the IID Negotiating Team as a basis for completing fact-finding, negotiating mutually acceptable settlement terms, and preparing comprehensive settlement documents that incorporate a new quantification agreement among IID, CVWD and the DOI.

2. That the Board of Directors of the IID further instructs the IID Negotiating Team to utilize the following principles in its fact-finding, negotiation and documentation efforts:

A. The preservation of all of the IID's water rights under both state and federal law, except as specifically and expressly modified in any final comprehensive settlement agreement that results in the strengthening of IID's water rights to the Colorado River;

B. The benefits to be obtained from any final comprehensive settlement shall be durable and inure for a lengthy period of time, and not be easily lost as a result of any actions taken by any nonsignatories to the agreement;

C. The terms of any final comprehensive settlement should not leave the IID exposed to any risks or costs for which it will not be fully compensated, including without limitation risks associated with creating conserved water, environmental impacts or force majeure; and

D. The terms of any final comprehensive settlement agreement must not unfairly impose burdens on the agricultural economy of the Imperial Valley in order to benefit the nonagricultural economy of the Coachella Valley.

PASSED AND ADOPTED, this 27th day of January, 1999.



IMPERIAL IRRIGATION DISTRICT

By


President

By


Secretary

24-117

RESOLUTION NO. 4-99

A RESOLUTION OF THE BOARD OF DIRECTORS OF IMPERIAL IRRIGATION DISTRICT (IID) URGING THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD) TO REVERSE ITS REALLOCATION POLICY AND DIRECTING THE IID MANAGEMENT AND LEGAL COUNSEL TO TAKE ALL NECESSARY STEPS TO PROTECT THE IID'S WATER RIGHTS.

WHEREAS, the IID, formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, the IID has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this century and having been recognized by the State of California, the Congress, the Secretary of the Interior, the Supreme Courts of the United States and the State of California, and by other individuals and entities; and

WHEREAS, the IID shares in the 3rd and 6th priorities of California's Colorado River entitlement pursuant to the 1931 Seven-Party Agreement and IID's 1932 contract for permanent water delivery with the Department of the Interior; and

WHEREAS, the MWD has in the past alleged and is now undertaking efforts to persuade the Secretary of the Interior that he possesses reserved powers to reallocate within California the rights to Colorado River water and that the IID's rights to Colorado River water should be diminished and the rights of MWD enhanced; and

WHEREAS, the IID asserts that the Secretary of the Interior has no power to reallocate IID's water rights to MWD; and

WHEREAS, the IID asserts that state and federal law encourages the conservation of water and voluntary arrangements that allow the title to conserved water to remain with the entity conserving the water and allow conserved water to be used by others who have a need for the water, and that the IID is authorized to utilize such laws to transfer newly conserved Colorado River water to the San Diego County Water Authority; and

WHEREAS, the MWD's reallocation allegations and efforts are in opposition to the agreement of the IID to transfer newly-conserved water to the San Diego County Water authority in exchange for payment; and

WHEREAS, the economy and well-being of the communities of the Imperial Valley are inextricably tied to the quantity and priority of the IID's water rights and the long-term preservation of such water rights; and

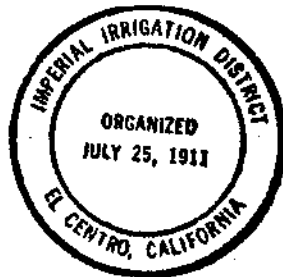
WHEREAS, the IID has previously resolved to diligently protect and vigorously defend and take all actions necessary to protect and preserve the IID's water rights; and

WHEREAS, the IID has previously resolved that any transfer of conserved water must be economically beneficial to Imperial Valley; that adverse third party impacts, if any, must be appropriately addressed; and that environmental impacts, if any, must be assessed in compliance with existing federal and state law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Board of Directors of IID urges the Secretary of the Interior to reject the request of MWD to reallocate IID's water rights.
2. That the Board of Directors of IID urges the Board of Directors of MWD, and each of its member agencies, to expressly and permanently reverse and renounce any policy seeking to reallocate Colorado River water in order to diminish the water rights of the IID and enhance the water rights of the MWD.
3. That the Board of Directors of IID directs the IID management and legal counsel to take any and all steps to diligently and vigorously protect and defend the IID's water rights from MWD's unlawful attack.

PASSED AND ADOPTED this 2nd day of February, 1999.



IMPERIAL IRRIGATION DISTRICT

By


President

By


Secretary

24-118

IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 13 -99

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL IRRIGATION DISTRICT AUTHORIZING THE USE OF THE KEY TERMS FOR QUANTIFICATION SETTLEMENT REGARDING QUANTIFICATION OF COLORADO RIVER RIGHTS AS A BASIS FOR FINALIZING A NEW QUANTIFICATION AGREEMENT AMONG THE PARTIES.

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, the IID has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this century under state law and having been recognized by the State of California, the Congress, the Secretary of the Interior, the Supreme Courts of the United States and the State of California, and by other individuals and entities; and

WHEREAS, the IID shares in the 3rd, 6th and 7th priorities of California's Colorado River entitlement pursuant to the 1931 Seven Party Agreement and IID's 1932 contract for permanent water delivery with the Department of the Interior; and

WHEREAS, the 1934 Compromise Agreement subordinates Coachella Valley Water District's (CVWD) right to use Colorado River water to the IID's rights under priorities 3 and 6; and

WHEREAS, the Metropolitan Water District of Southern California (MWD) is entitled to the 4th and 5th priorities of California's Colorado River apportionment pursuant to the 1931 Seven Party Agreement and MWD's water delivery contract with the Secretary of the Interior; and

WHEREAS, the CVWD has in the past and continues to allege that by reason of alleged unreasonable or nonbeneficial use of water by the IID, historical use patterns by the IID, the long-term overdraft of the groundwater basin within CVWD by CVWD water users, and the Secretary of the Interior's reserved powers to reallocate within California the rights to Colorado River water, that the IID's rights to Colorado River water should be diminished and the rights of CVWD enhanced; and

WHEREAS, MWD has in the past and continues to allege that by reason of alleged unreasonable or nonbeneficial use of water by the IID, historical use patterns by the IID, the unavailability of priority 5 water for MWD in future years, and the Secretary of the Interior's reserved powers to reallocate within California the rights to Colorado River water, that the IID's rights to Colorado River water should be diminished and the rights of MWD enhanced; and

WHEREAS, the IID asserts that it has and continues to reasonably and beneficially use Colorado River water, that its priority for such use has and remains prior to CVWD's and MWD's rights to such use, that MWD's use of Colorado River water, and CVWD's use of Colorado River

water and allowance of a sustained groundwater overdraft, is less reasonable and beneficial than use by the IID, and that the Secretary of the Interior has no power to reallocate IID's water rights to CVWD or MWD; and

WHEREAS, the IID asserts that state and federal law encourages the conservation of water and voluntary arrangements that allow the title to conserved water to remain with the entity conserving the water and allow conserved water to be used by others who have a need for the water, and that the IID is authorized to utilize such laws to transfer newly conserved Colorado River water to the San Diego County Water Authority; and

WHEREAS, CVWD and MWD deny the applicability of state law to the IID's Colorado River rights and CVWD asserts that the 1934 Compromise Agreement and the 1931 Seven Party Agreement allow CVWD to capture any newly-conserved water created within the IID, even if paid for by the San Diego County Water Authority; and

WHEREAS, although the IID remains committed to the correctness of its position in the above-described disputes with CVWD and MWD, the IID has in the recent past unsuccessfully attempted to negotiate mutually acceptable settlement agreements with CVWD and MWD that would avoid the cost, delay and uncertainty inherent in litigating any of the above-described disputes; and

WHEREAS, through the mediation assistance and participation of the Department of the Interior by and through David J. Hayes, Acting Deputy Secretary of the Interior, and Thomas M. Hannigan, Director of the Department of Water Resources, significant progress has been made in identifying the key terms of a quantification settlement that includes, among others, the sale of conserved water from the IID to CVWD, extension of the 1988 Water Conservation and Transfer Agreement with MWD, partial forbearance of IID's call rights on All American Canal lining water, and partial forbearance of the right to use priority 6 water, and that may serve as the basis for preparing complete legal documents containing all of the terms of an acceptable and implementable settlement agreement; and

WHEREAS, the IID has previously resolved to diligently protect and vigorously defend and take all actions necessary to protect and preserve the IID's water rights; and

WHEREAS, the IID has previously resolved to diligently protect the present and future economic well-being of the Imperial Valley, while at the same time enhancing the economic well-being of Imperial Valley and its residents, by proactively promoting and supporting opportunities to transfer conserved water if adequate funding is received and specified prerequisites are met; and

WHEREAS, the IID has previously resolved that any transfer of conserved water must be economically beneficial to Imperial Valley; that adverse third party impacts, if any, must be appropriately addressed; and that environmental impacts, if any, must be assessed in compliance with existing federal and state law; and

WHEREAS, any settlement agreement and action thereunder will be expressly contingent upon compliance with the California Environmental Quality Act and the National Environmental Policy Act, as applicable, as well as contingent on any other applicable federal and state approvals.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Board of Directors of the IID authorizes the use of the *Key Terms for Quantification Settlement Among the State of California, IID, CVWD and MWD*, dated October 15, 1999, by the IID Negotiating Team as a basis for obtaining public input, completing fact-finding, and preparing complete legal settlement documents that incorporate a new quantification settlement.

2. That the complete legal quantification settlement documents developed by the negotiating parties shall, before approval by the Board of Directors of the IID, be subject to further extensive public input, including public hearings.

3. That the Board of Directors of the IID further instructs the IID Negotiating Team to continue to utilize the following principles in preparing any comprehensive settlement documents:

A. The preservation of all of the IID's water rights under both state and federal law, except as specifically and expressly modified in any final comprehensive settlement agreement that results in the strengthening of IID's water rights to the Colorado River;

B. The benefits to be obtained from any final comprehensive settlement shall be durable and inure for a lengthy period of time, and not be easily lost as a result of any actions taken by any nonsignatories to the agreement;

C. The terms of any final comprehensive settlement should not leave the IID exposed to any risks or costs for which it will not be fully compensated, including without limitation, risks associated with creating conserved water, environmental impacts or force majeure;; and

D. The terms of any final comprehensive settlement agreement must not unfairly impose burdens on the agricultural economy of the Imperial Valley in order to benefit the nonagricultural economy of the Coachella Valley or MWD's service area.

PASSED AND ADOPTED, this 18th day of October, 1999.



IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

24-119

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 11-2000

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of the last century and having been recognized by the United States Congress, the Supreme Court of the United States and the State of California, and by other individuals and entities; and

WHEREAS, water is the vital natural resource to the Imperial Valley and the very foundation for all present and future economic development; and

WHEREAS, IID, as trustee of Imperial Valley's Colorado River water rights, continues to vigorously defend, protect and preserve those water rights; and

WHEREAS, federal and state water policy encourages water rights holders to enter into aggressive and innovative water conservation and water transfer programs so that water resources are put to beneficial use to the fullest extent of which they are capable; and

WHEREAS, IID, in recognition of such policy and as part of its fiduciary obligation to defend, protect and preserve Imperial Valley's water rights, adopted Resolution No. 8-84 which established IID's water conservation and transfer policy; and

WHEREAS, IID has implemented its water conservation and transfer policy set forth in Resolution No. 8-84, as further defined in Resolution No. 4-95, whereby water conserved with funds provided by others is temporarily made available for use by others in Southern California; and

WHEREAS, Resolution No. 5-96 enumerated guidelines applicable to IID's water transfer policy including the following:

- "IID is not in favor of a fallowing program – any water conservation and transfer program should focus on other methods of conservation".
- "There will be no water transfers by individual landowners because IID holds legal title to the water in trust for the landowners"; and

WHEREAS, Resolution No. 24-90 also provides that as part of any water conservation and transfer program, there be no permanent retirement of agricultural land.

WHEREAS, on April 29, 1998, IID and the San Diego County Water Authority entered into a voluntary "Agreement for Transfer of Conserved Water"; and

WHEREAS, on October 15, 1999, IID entered into "Key Terms for Quantification Settlement Among the State of California, IID, CVWD and MWD" which, among other things, provided for the temporary use by others of water conserved within IID as well as water conserved from the lining of a portion of the All-American Canal.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. IID will, through funds provided by the State of California and others, implement the All-American Canal Lining Project and will support the use by others of water conserved from the Project.
2. IID remains committed to efforts to implement the Agreement for Transfer of Conserved Water entered into between IID and the San Diego County Water Authority.
3. IID, in partnership with the local community, will continue development of the On-Farm Conservation Plan as envisioned in the IID/SDCWA Agreement.
4. IID reaffirms that permanent retirement of agricultural land will not be allowed as a means of any water conservation and transfer program.
5. IID is committed to maintaining its entitlement to Colorado River water "in trust" for its landowners and is against the transfer of these valuable water rights to individual landowners.

PASSED AND ADOPTED, this 22nd day of August, 2000.

IMPERIAL IRRIGATION DISTRICT



By *Rodolfo M. Maldonado*
President

By *John R. Bunker*
Secretary

24-120

RESOLUTION NO. 21-2000

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE IMPERIAL IRRIGATION DISTRICT
AUTHORIZING THE RELEASE OF THE PROPOSED
QUANTIFICATION SETTLEMENT AGREEMENT
FOR PUBLIC REVIEW

WHEREAS, on October 15, 1999 the negotiating teams for the Imperial Irrigation District, Coachella Valley Water District, The Metropolitan Water District of Southern California (collectively, the Districts), and the State of California signed the Key Terms for Quantification Settlement (Key Terms);

WHEREAS, on October 18, 1999 the respective Boards of Directors of the Imperial Irrigation District, and Coachella Valley Water District released the Key Terms for Quantification Settlement (Key Terms) as the basis for obtaining public input and completing a Quantification Settlement Agreement among the Districts;

WHEREAS, on October 18, 1999 the Board of Directors of The Metropolitan Water District of Southern California authorized the use of the Key Terms as the basis for completing a new Quantification Settlement Agreement among the Districts;

WHEREAS, the Related Agreements to the Quantification Settlement Agreement refers to the Acquisition Agreements, the Allocation Agreement, the Implementation Agreement, the amendment to the IID/MWD 1988 Agreement, the 1989 Approval Agreement, the CVWD/MWD Supplemental Agreement, and any other agreements, amendments and waivers entered into or adopted by or with the written consent of all Parties in connection with this Agreement and the Acquisition Agreements;

WHEREAS, the Quantification Settlement Agreement and Related Agreements are intended to further California's Colorado River Water Use Plan, resolve long-standing water use and water right disputes, enhance water supply reliability, improve water use efficiencies and implement water conservation efforts, promote water storage and conjunctive use programs, foster interagency cooperation in meeting the Districts' joint water supply and management needs, and seek to improve management of the Colorado River reservoirs;

WHEREAS, a Program Environmental Impact Report for Implementation of the Quantification Settlement Agreement (Program EIR) is being jointly prepared by the Districts and the San Diego County Water Authority to assess the environmental impacts of the Quantification Settlement Agreement and Related Agreements pursuant to the California Environmental Quality Act;

WHEREAS, given the importance of this matter to the Districts, The Metropolitan Water District of Southern California's member public agencies, and the public, it is appropriate to consider release of the proposed Quantification Settlement Agreement, Implementation Agreement, and the

three basic Acquisition Agreements at this time, prior to completion of the associated environmental reviews, for the purpose of providing interested parties the opportunity to review these proposed agreements before the environmental documents are released for public review;

WHEREAS, the Districts remain committed to continuing to use their best efforts for the timely completion of the environmental reviews and conditions precedent associated with the Quantification Settlement Agreement and Related Agreements, including necessary approvals and permits;

WHEREAS, upon completion of the environmental reviews, conditions precedent, and public review of the Agreements, and if found appropriate at that time based on such completion, the Districts will seek the timely, cooperative implementation of the components of the Quantification Settlement Agreement and Related Agreements consistent with California's Colorado River Water Use Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Imperial Irrigation District that the foregoing recitals are true and confirm the good faith commitment of the District; and

BE IT FURTHER RESOLVED that the Board of Directors of the Imperial Irrigation District wishes to release the documents for public review as soon as they are available; and

BE IT FURTHER RESOLVED that the Board of Directors of the Imperial Irrigation District authorizes the appropriate officers to execute the attached Joint Resolution provided the Negotiating Team consisting of Lloyd Allen, Andy Horne, John Carter and Jesse Silva concur that the documents are acceptable to the Team for the purpose of public review; and

BE IT FURTHER RESOLVED that the proposed Quantification Settlement Agreement, Implementation Agreement, and the three basic Acquisition Agreements are to be released for public review on execution of the attached Joint Resolution with comments to be accepted by the Districts' respective General Managers through the close of the public comment period on the respective environmental reviews and that the Board directs its General Manager to continue to work expeditiously to fulfill the various conditions precedent to the Quantification Settlement Agreement and Related Agreements to enable the Board to consider them for final action at the earliest possible date; and

BE IT FURTHER RESOLVED that the other proposed Related Agreements be released for public review at the earliest possible date; and

BE IT FURTHER RESOLVED that Secretary of the Interior, Bruce Babbitt, Deputy Secretary of the Interior, David Hayes, and the Director of the California Department of Water Resources, Thomas Hannigan, are to be commended for their efforts in assisting the Districts in reaching a significant milestone in the development of solutions to California's Colorado River water use issues; and

BE IT FINALLY RESOLVED that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Directors of the Imperial Irrigation District at its special meeting held December 12, 2000.

PASSED AND ADOPTED this 12th day of December, 2000.



IMPERIAL IRRIGATION DISTRICT

By Rodolfo Maldonado
President

By [Signature]
Secretary

24-121

IMPERIAL IRRIGATION DISTRICT

IID Position on Construction of New Conveyance Facilities

RESOLUTION NO. 3-2001

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected and having been recognized by the United States Congress, the Supreme Court of the United States and the State of California, and by other individuals and entities; and

WHEREAS, water is the vital natural resource and the very foundation for all present and future economic development in the Imperial Valley; and

WHEREAS, IID, as trustee of Imperial Valley's Colorado River water rights, continues to vigorously defend, protect and preserve those water rights; and

WHEREAS, IID, in recognition of federal and state water policy encouraging water conservation and transfer programs and as part of its fiduciary obligation to defend, protect and preserve Imperial Valley's water rights, has adopted Resolution Numbers 8-84, 24-90, 4-95, 5-96 and 11-00, which established IID's water conservation and transfer policy; and

WHEREAS, IID has implemented its water conservation and transfer policy whereby water conserved with funds provided by others is temporarily made available for use by others in Southern California; and

WHEREAS, the anticipated implementation of the proposed IID-SDCWA water conservation and transfer agreement, and the Quantification Settlement Agreement does not necessitate the construction or enhancement of any conveyance facility for Colorado River water; and

WHEREAS, although IID has been willing to share with others IID's Colorado River water right entitlement by transfers of conserved water through existing conveyance facilities, construction of new transportation facilities could create new demands for Imperial Valley's water, and would be detrimental to Imperial Valley and endanger the way of life of the citizens of the Valley.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. IID is opposed to the construction of any new conveyance facility, or expansion in capacity of any existing facility that could be used to transport any Colorado River water apportioned to California from the Colorado River to urban Southern California.

2. IID is not opposed to the construction of any new conveyance facility or expansion in capacity of any existing facility that could be used to transport the Republic of Mexico's Colorado River Treaty entitlement water within Mexico.

PASSED AND ADOPTED, this 6th day of February 2001.



IMPERIAL IRRIGATION DISTRICT

By _____

President

By _____

Secretary

Revised 1/19/01

Roll Call: Directors Horne, Kuhn, Allen, Mendoza and Maldonado voted yes.

24-122

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 13-2001

RESOLUTION IN SUPPORT OF LEGISLATION TO ASSIST IMPLEMENTATION OF THE QUANTIFICATION SETTLEMENT AGREEMENT, CALIFORNIA'S COLORADO RIVER USE PLAN AND RECLAMATION OF THE SALTON SEA

WHEREAS, Coachella Valley Water District (CVWD), Imperial Irrigation District (IID), Metropolitan Water District of Southern California (MWD) and San Diego County Water Authority (SDCWA) are undertaking cooperative efforts to reduce State of California consumption of Colorado River water, known, in part, as the Quantification Settlement Agreement; and

WHEREAS, the Salton Sea Authority, comprised of CVWD, IID and Riverside and Imperial Counties, is undertaking efforts with the U.S. Bureau of Reclamation to restore the Salton Sea; and

WHEREAS, there are important environmental, water management, political and other relationships between the implementation of the Quantification Settlement Agreement and restoration of the Salton Sea; and

WHEREAS, the Salton Trough is a part of the natural Colorado River system—the trough historically and repeatedly received Colorado River flows creating at least three large freshwater lakes in the last two millennia; and

WHEREAS, the Salton Sea and its associated environs provides resident and migratory habitat for half of all bird species found in the United States, making it one of the most diverse avian habitats in the country; and

WHEREAS, the Salton Sea's importance to the Pacific Flyway has increased with time with the destruction and reduction of other wetland habitats in California; and

WHEREAS, the California agencies have proposed specific measures to ensure that the Endangered Species Act and other environmental compliance requirements for implementing the Quantification Settlement Agreement are met, including a Habitat Conservation Plan and the proposed habitat enhancement projects that would benefit species using the Salton Sea; and

WHEREAS, the Quantification Settlement Agreement has a firm deadline of December 31, 2002, for the completion of actions necessary to effectuate the agreement—including environmental compliance—and continuation of Interim Surplus Guidelines for California's use of Colorado River water is contingent upon reducing California agricultural water usage by 110,000 acre-feet per year by 2003, as well as other demonstration of progress in implementing the California Plan; and

WHEREAS, today's Salton Sea supports agriculture, recreation and related industries, resulting in annual multi-billion dollar benefits to the economy of the region; and

WHEREAS, restoration of the Salton Sea will preserve and enhance important habitat and will stimulate economic development and tourism; and

WHEREAS, restoration of the Salton Sea is as much a federal and state priority as a regional one and that governments within the Salton Sea region cannot bear the full financial burden of restoration; and

WHEREAS, the ability to meet the Quantification Settlement Agreement and Colorado River water use reduction deadlines and to ensure that the Quantification Settlement Agreement and the California Plan are implemented requires immediate federal regulatory direction and funding assistance for habitat enhancement projects which will benefit wildlife using the Salton Sea; now, therefore

BE IT RESOLVED, by the Board of Directors of IID that the foregoing recitals are true and confirm the good faith commitment of IID; and

BE IT FURTHER RESOLVED to support expeditious restoration of the Salton Sea; and

BE IT FURTHER RESOLVED to support efforts by the Congressional Salton Sea Task Force and the Salton Sea Authority to sustain and increase appropriations to partnering federal agencies, particularly the Bureau of Reclamation, or to the Salton Sea Authority directly for restoration activities; and

BE IT FURTHER RESOLVED to support efforts by state legislators and the Salton Sea Authority to seek and pass state legislation providing funding and other support for restoration activities; and

BE IT FURTHER RESOLVED to support efforts by the Salton Sea Authority and its member agencies to establish local financing mechanisms to provide funding for some of the annual operations and maintenance costs of restoration; and

BE IT FURTHER RESOLVED to provide technical and other staff support to the Salton Sea Authority and U.S. Bureau of Reclamation to support restoration planning and environmental compliance activities; and

BE IT FURTHER RESOLVED to support efforts by the Salton Sea Authority and the U.S. Bureau of Reclamation to evaluate and propose creative water management techniques to address problems of the Salton Sea, with the clear understanding that IID cannot take a position on any proposed restoration plan until all studies have been completed and the IID Board of Directors has carefully analyzed all of the impacts

associated with any specific plan, conducted public hearings, and received public input; and

BE IT FURTHER RESOLVED that recently identified Salton Sea restoration options that require the use of farmland for the construction and operation of solar evaporation ponds and the use of water, currently available to those lands, for Salton Sea restoration purposes, may be inconsistent with the current policies of IID; and

BE IT FURTHER RESOLVED to support habitat conservation and enhancement projects associated with the Salton Sea; and

BE IT FURTHER RESOLVED that the Board of Directors of IID supports additional federal legislation to assist in the implementation of the Quantification Settlement Agreement, California's Colorado River Water Use Plan and restoration of the Salton Sea, including the Colorado River Quantification Settlement Facilitation Act; and

BE IT FURTHER RESOLVED that legislation supporting and facilitating implementation of the Quantification Settlement Agreement, California's Colorado River Water Use Plan and restoration of the Salton Sea must provide for the protection of the Salton Sea Authority and its member agencies (including CVWD and IID) and MWD and SDCWA from liability for any effects to the Salton Sea or its bordering area resulting from implementation of any Salton Sea restoration plan or other activities undertaken to implement the Quantification Settlement Agreement and California's Colorado River Water Use Plan; and

BE IT FURTHER RESOLVED that the Board of Directors of IID requests that the Boards of the Salton Sea Authority, the County of Imperial and the County of Riverside adopt a resolution in support of legislation supporting and facilitating implementation of the Quantification Settlement Agreement, California's Colorado River Water Use Plan and restoration of the Salton Sea, including the Colorado River Quantification Settlement Facilitation Act, and expeditious restoration of the Salton Sea.

BE IT FINALLY RESOLVED that certified copies of this Resolution be sent to Senator Feinstein, Senator Boxer, members of the Congressional Salton Sea Task Force, the Secretary of the Interior, the Director of the California Department of Water Resources and the Executive Director of the Colorado River Board of California.

PASSED AND ADOPTED this 26th day of June, 2001.



IMPERIAL IRRIGATION DISTRICT

By _____

President

By _____

Secretary

24-123

IMPERIAL IRRIGATION DISTRICT
RESOLUTION NO. 16-2001

Opposing Fallowing Agricultural Land to Restore Salton Sea

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, has previously adopted Resolution No. 13-2001 supporting, among other things, expeditious restoration of the Salton Sea; and

WHEREAS, the IID supports the Salton Sea Authority, the United States, the State of California and others in their joint efforts to remedy the concerns related to the Salton Sea; and

WHEREAS, the IID recognizes the significance of third-party impacts which may occur from the fallowing of any portion of Imperial Valley's productive farmland which has remained in uninterrupted use for nearly a century; and

WHEREAS, the Executive Director of the Salton Sea Authority and the Regional Director of the Bureau of Reclamation have recently suggested that fallowing of Imperial Valley farmland be utilized to support reclamation of the Salton Sea; and


WHEREAS, the IID recognizes that third-party impacts may occur from the fallowing of any portion of Imperial Valley's productive farmland.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:


1. IID affirms its commitment to the reclamation of the Salton Sea but opposes fallowing of agricultural land in Imperial Valley for the purposes of such reclamation.
2. IID respectfully requests that the County of Imperial and other local agencies join with IID in opposing fallowing of Imperial Valley farmland for purposes of reclamation of the Salton Sea.

PASSED AND ADOPTED, this 6th day of November, 2001.





President



Secretary

24-124

Resolution No. 7-2002

RESOLUTION OF THE BOARD OF DIRECTORS OF IMPERIAL IRRIGATION DISTRICT CERTIFYING THE PROGRAM ENVIRONMENTAL IMPACT REPORT ("PEIR") FOR THE QUANTIFICATION SETTLEMENT AGREEMENT ("QSA")

WHEREAS, Imperial Irrigation District ("IID"), Coachella Valley Water District ("CVWD"), The Metropolitan Water District of Southern California ("MWD"), and the San Diego County Water Authority ("SDCWA") are co-Lead Agencies, pursuant to a Co-Lead Agency Agreement dated April 10, 2000, for preparation of a Program Environmental Impact Report ("PEIR") for the proposed Quantification Settlement Agreement ("QSA"), pursuant to the California Environmental Quality Act ("CEQA"); and

WHEREAS, IID participated in the preparation of the environmental assessment included in the Draft QSA PEIR; and

WHEREAS, the Draft QSA PEIR was completed and issued by the co-Lead Agencies for public review for a period which commenced on January 30, 2002 and terminated on March 26, 2002; and

WHEREAS, the Board of Directors ("Board") is the decision-making body for IID; and

WHEREAS, a Final QSA PEIR has been prepared and presented to the Board for review; and

WHEREAS, the Final QSA PEIR includes all public and agency comments on the Draft QSA PEIR received during the public comment period and responses thereto, and the information included in the Draft QSA PEIR has been revised and amplified in response to such comments; and

WHEREAS, pursuant to the Lead Agency Agreement, each Lead Agency must individually review and determine whether to certify the Final QSA PEIR, and certification of the Final QSA PEIR shall not be effective until each co-Lead Agency has certified the Final QSA PEIR; and

WHEREAS, the Board has been informed that CVWD, MWD and SDCWA have certified the Final QSA PEIR;

WHEREAS, the Final QSA PEIR provides an assessment of the impacts of the component projects included in the QSA and that such component projects include certain transfers of conserved water by IID to SDCWA, MWD and/or CVWD, as well as an assessment of the cumulative impacts associated with implementation of the QSA component projects; and

WHEREAS, the environmental assessment included in the Final QSA PEIR is important and relevant to the environmental assessment set forth in the Final EIR/EIS for the IID Water Conservation and Transfer Project; and

WHEREAS, the Board desires to complete the certification of the environmental assessment set forth in the Final QSA PEIR and the Final EIR/EIS for the IID Water Conservation and Transfer Project, so that other agencies, including the other co-QSA Lead Agencies and Responsible and Trustee Agencies, can rely upon the environmental assessment in taking action or issuing permits or approvals related to the activities described in these documents; and

WHEREAS, the Final QSA PEIR must be certified by the Board prior to taking any action to implement the QSA project or the water transfers provided for under the QSA; and

WHEREAS, the Board, at this time, does not intend to make a decision on the project assessed in the QSA PEIR or on the project assessed in the EIR/EIS for the IID Water Conservation and Transfer Project.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies, pursuant to CEQA, Public Resources Code Section 21082.1(c)(3), and Section 15090(a) of the CEQA Guidelines, that:

1. The Final QSA PEIR has been completed in compliance with CEQA;
2. The Final QSA PEIR was presented to the Board, and the Board has reviewed and considered the information contained in the Final QSA PEIR prior to making a decision on the project defined therein; and
3. The Final QSA PEIR reflects the Board's independent judgment and analysis.

WE HEREBY CERTIFY that the foregoing is a full, true and correct copy of a resolution adopted by the Board of Directors of the Imperial Irrigation District at its meeting on June 28, 2002.



IMPERIAL IRRIGATION DISTRICT

Stella Mendez

President, Board of Directors

Gloria A. Rivera

Secretary, Board of Directors

24-125

Resolution No. 8-2002

**RESOLUTION OF THE BOARD OF DIRECTORS OF IMPERIAL IRRIGATION
DISTRICT CERTIFYING THE ENVIRONMENTAL IMPACT
REPORT/ENVIRONMENTAL IMPACT STATEMENT ("EIR/EIS") FOR THE IID
WATER CONSERVATION AND TRANSFER PROJECT**

WHEREAS, Imperial Irrigation District ("IID") is the lead agency under the California Environmental Quality Act ("CEQA") for the Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the IID Water Conservation and Transfer Project ("Transfer EIR/EIS"); and

WHEREAS, a Draft Transfer EIR/EIS was filed with federal and state agencies in January, 2002, which commenced a 90-day public review period terminating on April 26, 2002, pursuant to CEQA and the National Environmental Policy Act ("NEPA"); and

WHEREAS, the Proposed Project assessed in the Transfer EIR/EIS involves IID's conservation and transfer of the right to use up to 300,000 AFY of Colorado River water which IID is otherwise entitled to divert for use within IID's water service area in Imperial County, California, which conserved water would be transferred to SDCWA pursuant to the "Agreement for Transfer of Conserved Water" executed by IID and SDCWA in 1998 (as amended), or, if the proposed Quantification Settlement Agreement ("QSA") to be executed by IID, CVWD and MWD is executed and all conditions precedent thereto are satisfied, the water transfers would be modified to conform with the terms of the QSA (up to 200 KAFY to SDCWA and up to 100 KAFY to CVWD and/or MWD); and

WHEREAS, the water transfers by IID facilitate California's efforts to reduce its diversions of Colorado River water to its annual 4.4 million AFY normal year apportionment, thus benefiting the entire Colorado River Basin; and

WHEREAS, the Proposed Project also includes a proposed Habitat Conservation Plan ("HCP"), which has been prepared by IID in consultation with the U.S. Fish & Wildlife Service and the California Department of Fish & Game to authorize the incidental take of covered species associated with the proposed water conservation program; as well as IID's ongoing operation and maintenance activities within the IID water service area, the All American Canal right-of-way and the Salton Sea; and

WHEREAS, the Board of Directors ("Board") is the decision-making body for IID; and

WHEREAS, the Board held three public workshops to solicit comments on the Draft Transfer EIR/EIS on April 2, 3 and 4; and

WHEREAS, Reclamation, as the Lead Agency for the Transfer EIR/EIS under NEPA, held public hearings on the draft Transfer EIR/EIS on April 2, 3 and 4, 2002; and

WHEREAS, a Final Transfer EIR/EIS has been prepared and presented to the Board;
and

WHEREAS, the Final Transfer EIR/EIS includes all public and agency comments on the Draft Transfer EIR/EIS received during the public comment period and responses thereto, and the information included in the Draft QSA PEIR has been revised and amplified in response to such comments; and

WHEREAS, prior to taking action on this Resolution, the Board has certified the Final QSA PEIR pursuant to CEQA, and the Board has considered the environmental assessment and other information included in the Final QSA PEIR; and

WHEREAS, prior to taking action on this Resolution, the Board has considered the environmental assessment included in the Final Secretarial Implementation Agreement EIS, in a form represented to the Board by Reclamation as the final version of the Implementation Agreement EIS; and

WHEREAS, the Board desires to complete the environmental assessment process so that other agencies, including Responsible and Trustee Agencies, can rely upon the environmental assessment in taking action or issuing permits or approvals related to the Proposed Project described therein; and

WHEREAS, the Board, at this time, does not intend to make a decision on the Proposed Project assessed in the Transfer EIR/EIS.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board hereby certifies, pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21082.1(c)(3), and the CEQA Guidelines, Section 15090(a), that:

1. The Final Transfer EIR/EIS has been completed in compliance with CEQA;
2. The Final Transfer EIR/EIS was presented to the Board, and the Board has reviewed and considered the information contained in the Final Transfer EIR/EIS prior to making a decision on the project defined therein; and
3. The Final Transfer EIR/EIS reflects the Board's independent judgment and analysis.

WE HEREBY CERTIFY that the foregoing is a full, true and correct copy of a resolution adopted by the Board Directors of the Imperial Irrigation District at its meeting on June 28, 2002.



IMPERIAL IRRIGATION DISTRICT

Stella Mendoza
President, Board of Directors

Gloria A. Rivera
Secretary, Board of Directors

24-126

IMPERIAL IRRIGATION DISTRICT

RESOLUTION No. 10-2002

A Resolution of the Board of Directors Establishing the Imperial Irrigation District Environmental Policy

WHEREAS, it is the policy of the Imperial Irrigation District (District) to conduct operations, remediation, and research in a manner that protects human health and the environment and is in full compliance with environmental laws and regulations; and,

WHEREAS, the District achieves this by implementing an environmental management system, integrating environmental requirements and pollution prevention plans into daily operations, and by taking action(s) to minimize the environmental impacts of operations; and,

WHEREAS, the Board of Directors desires company-wide commitment to environmental excellence through employee involvement and management commitment,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
IMPERIAL IRRIGATION DISTRICT, that it shall:**

1. Protect the unique natural, biological and cultural resources within the District.
2. Integrate environmental management techniques into project planning, design and construction to conserve natural resources and minimize toxicity and volume of wastes generated.
3. Minimize impacts on human health and the environment through prevention, mitigation, and remediation as appropriate to address environmental impacts.
4. Maximize resource utilization through reusing and recycling materials, purchasing recycled materials, and using recyclable materials whenever possible.
5. Conduct operations and manage wastes in a safe, compliant and cost effective manner.
6. Promptly identify and aggressively mitigate identified noncompliant conditions and encourage full disclosure and open discussion regarding compliance issues.
7. Consider the input of stakeholders when weighing environmental options.

8. Establish documented environmental objectives and milestones and update them as necessary to reflect the changing needs, missions and goals of the District.
9. Measure environmental performance and monitor impacts on the environment and communicate the results to employees and stakeholders
10. Continuously improve environmental management systems through self-assessment and corrective action
11. Direct environmental compliance responsibilities, operational oversight and internal enforcement authority through the Environmental Compliance Supervisor and/or his/her designated staff.

PASSED AND ADOPTED this 10th day of September 2002.



IMPERIAL IRRIGATION DISTRICT

By Stella Mendez
President

By Gloria A. Rivera
Secretary

24-127

RESOLUTION NO. 12 - 2002

RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL IRRIGATION DISTRICT AUTHORIZING THE RELEASE OF REVISED DRAFT OF QUANTIFICATION SETTLEMENT AGREEMENT AND RELATED AGREEMENTS FOR PUBLIC REVIEW.

WHEREAS, on April 29, 1998, the Imperial Irrigation District (IID) and the San Diego County Water Authority (SDCWA) signed the Agreement for Transfer of Conserved Water; and

WHEREAS, on October 15, 1999, the negotiating teams for the IID, Coachella Valley Water District (CVWD), Metropolitan Water District of Southern California (MWD), and the State of California signed the Key Terms for Quantification Settlement (Key Terms) which Key Terms were subject to the drafting of definitive agreements, environmental review and satisfaction of conditions precedent; and

WHEREAS, on October 18, 1999, IID released the Key Terms in order to obtain public input on a proposed Quantification Settlement Agreement (QSA) among IID, CVWD and MWD; and

WHEREAS, on December 12, 2000, the IID Board of Directors authorized that the draft definitive agreements, the QSA, Implementation Agreement and the three basic Acquisition Agreements, be released for public review; and

WHEREAS, on October 15, 2002, IID's negotiating team signed a Summary Term Sheet - Principal QSA Revisions; and

WHEREAS, on October 22, 2002, the IID Board of Directors authorized IID's Chief Counsel to prepare revised draft Agreements consistent with the October 15, 2002 Summary Term Sheet; and

WHEREAS, the proposed QSA and related Agreements are intended to further California's Draft Colorado River Water Use Plan, resolve long-standing water use and water right disputes, enhance water supply reliability, improve water use efficiencies, and implement water conservation efforts, promote water storage and conjunctive use program, foster interagency cooperation in meeting Southern California's water supply and management needs, and seek to improve management of the Colorado River reservoirs; and

WHEREAS, given the importance of this matter to IID, the State of California, the United States Department of Interior, the other Colorado River Basin States, and the public, it is appropriate to now consider release of revised drafts of the QSA, Implementation Agreement, and the three basic Acquisition Agreements at this time for the purpose of providing the people of the Valley and other interested parties the opportunity to review these revised draft Agreements.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the IID that the foregoing recitals are true and confirm the good-faith commitment of IID; and

BE IT FURTHER RESOLVED, that the Board of Directors of the IID wishes to release the draft documents for public review to allow sufficient time for such review and comments; and

BE IT FURTHER RESOLVED, that the revised draft QSA, Implementation Agreement, and the three basic Acquisition Agreements are to be released for public review when IID's General Manager and IID's Chief Counsel concur that the revised draft Agreements are acceptable for the purpose of public review, with comments to be accepted by IID's General Manager until such time as the IID Board of Directors takes action on such documents; and

BE IT FURTHER RESOLVED, that the IID Board of Directors directs its General Manager and its Chief Counsel to continue to work expeditiously to fulfill the various conditions precedent to the QSA and related Agreements to enable the IID Board to consider them for final action at the earliest possible date; and

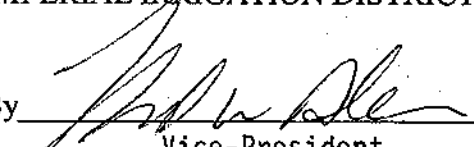
BE IT FINALLY RESOLVED, that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Directors of IID at its regularly scheduled meeting held November 19, 2002.

PASSED AND ADOPTED, this 19th day of November, 2002.

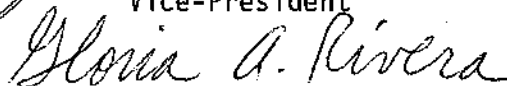


IMPERIAL IRRIGATION DISTRICT

By


Vice-President

By


Secretary

24-128

IMPERIAL IRRIGATION DISTRICT
Resolution No. 14-2002

(Rescind Resolution No. 20-92)
(Amended January 19, 1993, May 11, 1993 and June 22, 1993)

IID/MWD AGREEMENT; INDIRECT COSTS - PIPELINING

WHEREAS, Resolution 4-90 placed the \$23 million referenced in section 2.2 of the IID/MWD agreement in a Trust Fund Account (Account), limited spending to the interest earned on the Account and required Board approval in advance of each expenditure, and

WHEREAS, Board action of November 10, 1992, May 11, 1993, June 8, 1993, and December 10, 2002, directed staff to modify existing regulations concerning cost sharing for pipelining, and to prepare a resolution for the utilization of a portion of the interest earned on the Account to fund the IID share of the cost of pipelining canals and laterals provided a landowner/developer or public agency application for cost sharing is approved by the Board, and to develop a system for the loan of principal to public agencies for pipelining.

WHEREAS, for budgeting purposes applications for the annual pipelining program must be received by the IID prior to April 1 of each year for approval by the Board for the annual program for the 12 months from January 1 to December 31 of the following year.

WHEREAS, requesters shall include in an application justification indicating that the project is in the best interest of the public-at-large and information on public safety and other factors that can be utilized to establish priority, and

WHEREAS, local public entities may select an option for their share of the total cost of pipelining to be funded from the Pipeline Account (half the Trust Fund Account) provided the public agency executes an agreement to pay back the funds to the Pipeline Account with interest equal to three percentage points higher than the Local Agency Investment Fund (LAIF) interest rate, in effect the date of the repayment agreement (interest to accrue from the date funds are made available), and

WHEREAS, the local public entity application for the loan of principal must include a resolution from that governing body stating their intent to enter into a repayment agreement, which shall include language noting that the interest rate will be equal to three percentage points higher than the LAIF interest rate in effect the date of the repayment agreement, and

WHEREAS, all pipelining of existing open laterals and canals shall be in accordance with the Rules and Regulations Governing Distribution and Use of Water, Regulation No. 51, and

WHEREAS, 50 or 75 percent of eligible project costs may be approved for expenditure by the Board in conformance with Regulation 51, and

WHEREAS, projects approved by the Board and paid for by the requester in full, prior to Indirect Funds being available, will receive a refund of either 50 or 75 percent (in conformance with Regulation 51) of eligible project costs when interest funds are available from the Pipeline Account. Refunded monies will not be corrected for inflation nor include interest but shall be based upon actual costs at the time of construction.

NOW, THEREFORE, BE IT HEREBY RESOLVED that all interest earned in the Pipeline Account will be available to fund the IID's share of the cost of pipelining laterals and canals. Funds may be carried over for future year projects.

BE IT FURTHER RESOLVED, that the Pipeline Account shall have a balance of approximately \$11,500,000 maintained with balances below this allowed only by expenditures exceeding estimates and through specific Board action. If actual balances go below \$11,500,000 then a plan shall be put in place to have the accrued interest refund the deficit amount.

BE IT FURTHER RESOLVED, the public agency portion of the cost share may be funded from the Pipeline Account contingent upon execution of a repayment agreement with interest equal to three percentage points higher than the LAIF interest rate in effect the date of the repayment agreement.

BE IT FURTHER RESOLVED, that the requester's portion of the cost share 1) shall be committed by agreement based upon an estimated cost before the IID initiates construction and 2) shall be billed/refunded to the requester based on actual costs by IID forces or a contractor paying prevailing wages.

BE IT FURTHER RESOLVED, that pipelining canals shall be in accordance with Regulation No. 51.

BE IT FURTHER RESOLVED, that Board action approving projects for undergrounding will be taken by December 31 of each year for those years in which interest funds are available in the Pipeline Account, as defined in Section E of Regulation No. 51.

PASSED AND ADOPTED this 10th day of December, 2002.



IMPERIAL IRRIGATION DISTRICT

BY Stella Mendez
President

BY Gloria A. Rivera
Secretary

24-129

**RESOLUTION NO. 15-2002 OF THE BOARD OF DIRECTORS OF IMPERIAL
IRRIGATION DISTRICT ("IID") APPROVING THE FINAL ENVIRONMENTAL
IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT ("EIR/EIS"), AS
MODIFIED AND SUPPLEMENTED BY THE ENVIRONMENTAL IMPACT
REPORT ADDENDUM ("EIR ADDENDUM"), FOR THE IID WATER
CONSERVATION AND TRANSFER PROJECT**

WHEREAS, IID is the lead agency under the California Environmental Quality Act ("CEQA") for the EIR/EIS for the proposed IID Water Conservation and Transfer Project ("Proposed Project");

WHEREAS, the Proposed Project involves IID's conservation and transfer of the right to use up to 300,000 acre-feet per year ("AFY") of Colorado River water which IID is otherwise entitled to divert for use within IID's water service area in Imperial County, California, which conserved water would be transferred to the San Diego County Water Authority ("SDCWA") pursuant to the "Agreement for Transfer of Conserved Water" executed by IID and SDCWA in 1998 (as amended), or, if the proposed Quantification Settlement Agreement ("QSA") to be executed by IID, Coachella Valley Water District ("CVWD") and the Metropolitan Water District ("MWD") is executed and all conditions precedent thereto are satisfied, the water transfers would be modified to conform with the terms of the QSA;

WHEREAS, the water transfers by IID facilitate California's efforts to reduce its diversions of Colorado River water to its annual 4.4 million AFY normal year apportionment, thus benefiting the entire Colorado River Basin;

WHEREAS, the Proposed Project also includes a proposed Habitat Conservation Plan ("HCP"), which has been prepared by IID in consultation with the U.S. Fish & Wildlife Service and the California Department of Fish & Game to authorize the incidental take of covered species associated with the proposed water conservation program, as well as IID's ongoing operation and maintenance activities within the IID water service area, the All American Canal right-of-way and the Salton Sea;

WHEREAS, the IID Board of Directors ("Board") is the decision-making body for IID;

WHEREAS, the Final EIR/EIS for the Proposed Project was certified by the Board as completed in compliance with CEQA pursuant to Board Resolution No. 8-2002, approved on June 28, 2002;

WHEREAS, certain revisions were made to the Proposed Project after Board certification of the Final EIR/EIS;

WHEREAS, pursuant to CEQA Guidelines Section 15164, an addendum ("EIR Addendum") to the Final EIR/EIS, dated December 30, 2002, has been prepared to address those revisions to the Proposed Project;

WHEREAS, pursuant to CEQA Sections 21081 and 21081.5 and CEQA Guidelines Section 15091, Findings have been prepared to address the environmental impacts discussed in the Final EIR/EIS, as modified and supplemented by the EIR Addendum;

WHEREAS, pursuant to CEQA Section 21081 and CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared to address the ways in which specific economic, legal, social, technological, or other benefits of the Proposed Project outweigh the unavoidable adverse effects potentially resulting from the Proposed Project;

WHEREAS, pursuant to CEQA Guidelines Sections 15091(a)(1) and 15097, a Mitigation Monitoring and Reporting Program has been prepared to ensure implementation of the mitigation measures identified in the Final EIR/EIS, as modified and supplemented by the EIR Addendum, which have been required to mitigate or avoid significant environmental effects of the Proposed Project;

NOW, THEREFORE, be it resolved as follows:


- (1) The Board hereby certifies, pursuant to CEQA Section 21082.1(c)(3) and the CEQA Guidelines Section 15090(a), that the Final EIR/EIS, as modified and supplemented by the EIR Addendum, attached as Exhibit "A" hereto, has been completed in compliance with CEQA; the Final EIR/EIS, as modified and supplemented by the EIR Addendum, was presented to the Board, and the Board has reviewed and considered the information contained in the Final EIR/EIS, as modified and supplemented by the EIR Addendum, prior to making a decision on the Proposed Project defined therein; and the Final EIR/EIS, as modified and supplemented by the EIR Addendum, reflects the Board's independent judgment and analysis.
- (2) The Board has reviewed and considered, and hereby approves and adopts, pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093, the specific CEQA Findings (including the basis therefor) and Statement of Overriding Considerations, attached as Exhibit "B" hereto and incorporated herein by this reference, in order to satisfy the requirements of CEQA in connection with the assessment of the environmental impacts of the Proposed Project, as set forth in the Final EIR/EIS, as modified and supplemented by the EIR Addendum.
- (3) The Board has reviewed and considered, and hereby approves and adopts, pursuant to CEQA Guidelines Sections 15091(a)(1) and 15097, the Mitigation Monitoring and Reporting Program, attached as Exhibit "C" hereto and incorporated herein by this reference, as a condition of approval of the Proposed Project, in order to ensure implementation of the mitigation measures identified in the Final EIR/EIS, as modified and supplemented by the EIR Addendum, which have been required to mitigate or avoid significant environmental effects of the Proposed Project.


- (4) The Board's actions as set forth in this Resolution are subject to adoption of the QSA PEIR and the Addendum thereto as sufficient under CEQA for execution of the QSA by all Co-Lead Agencies.

WE HEREBY CERTIFY, that the foregoing is a full, true and correct copy of a Resolution adopted by the Board Directors of the Imperial Irrigation District at its meeting on December 31, 2002.



IMPERIAL IRRIGATION DISTRICT


Board Vice President


Board Secretary

ATTACHED EXHIBITS:

- "A" EIR Addendum
- "B" CEQA Findings and Statement of Overriding Considerations
- "C" Mitigation Monitoring and Reporting Program

24-130

**RESOLUTION NO. 16-2002 OF THE BOARD OF DIRECTORS OF IMPERIAL
IRRIGATION DISTRICT CERTIFYING THE ADDENDUM TO THE PROGRAM
ENVIRONMENTAL IMPACT REPORT ("PEIR ADDENDUM") FOR
THE QUANTIFICATION SETTLEMENT AGREEMENT**

WHEREAS, Imperial Irrigation District ("IID"), Coachella Valley Water District ("CVWD"), Metropolitan Water District of Southern California ("MWD"), and the San Diego County Water Authority ("SDCWA") are Co-Lead Agencies, pursuant to a Co-Lead Agency Agreement dated April 10, 2000, for the preparation of a Program Environmental Impact Report ("PEIR") for the proposed Quantification Settlement Agreement ("QSA"), pursuant to the California Environmental Quality Act ("CEQA");

WHEREAS, pursuant to the Co-Lead Agency Agreement, each Lead Agency must individually review and determine whether to approve the QSA PEIR, as modified and supplemented by the PEIR Addendum, and approval of the QSA PEIR, as modified and supplemented by the PEIR Addendum, shall not be effective until each Co-Lead Agency has certified the QSA PEIR, as modified and supplemented by the PEIR Addendum;

WHEREAS, the QSA PEIR, as modified and supplemented by the PEIR Addendum, provides an assessment of the impacts of the component projects included in the QSA and that such component projects include certain transfers of conserved water by IID to SDCWA, CVWD and/or MWD, as well as an assessment of the cumulative impacts associated with implementation of the QSA component projects;

WHEREAS, the environmental assessment included in the QSA PEIR, as modified and supplemented by the PEIR Addendum, is important and relevant to the environmental assessment set forth in the Final Environmental Impact Report ("EIR")/Environmental Impact Statement, as modified and supplemented by the EIR Addendum for the IID Water Conservation and Transfer Project;

WHEREAS, the Board of Directors ("Board") is the decision-making body for IID;

WHEREAS, the Board desires to complete the certification of the environmental assessment set forth in the QSA PEIR, as modified and supplemented by the PEIR Addendum, so that other agencies, including the other QSA Co-Lead Agencies and Responsible and Trustee Agencies, can rely upon the environmental assessment in taking action or issuing permits or approvals related to the activities described in these documents;

WHEREAS, the QSA PEIR, as modified and supplemented by the PEIR Addendum, must be certified by the Board prior to taking any action to implement the QSA projects or the water transfers provided for under the QSA;

WHEREAS, the Final QSA PEIR was certified by the Board as completed in compliance with CEQA pursuant to Board Resolution No. 7-2002, approved on June 28, 2002;

WHEREAS, certain revisions were made to the QSA after Board certification of the Final QSA PEIR;

WHEREAS, pursuant to CEQA Guidelines Section 15164, an addendum ("PEIR Addendum") to the Final QSA PEIR, dated December 2002, has been prepared to address those revisions to the QSA;

WHEREAS, pursuant to CEQA Sections 21081 and 21081.5 and CEQA Guidelines Section 15091, Findings have been prepared to address the environmental impacts discussed in the Final QSA PEIR, as modified and supplemented by the PEIR Addendum;

WHEREAS, pursuant to CEQA Section 21081 and CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared to address the ways in which specific economic, legal, social, technological, or other benefits of the QSA outweigh the unavoidable adverse effects potentially resulting from the QSA;

WHEREAS, pursuant to CEQA Guidelines Sections 15091(a)(1) and 15097, a Mitigation Monitoring and Reporting Program has been prepared to ensure implementation of the mitigation measures identified in the Final QSA PEIR, as modified and supplemented by the PEIR Addendum, which have been required to mitigate or avoid significant environmental effects of the QSA;

NOW, THEREFORE, be it resolved as follows:


- (1) The Board hereby certifies, pursuant to CEQA Section 21082.1(c)(3) and CEQA Guidelines Section 15090(a), that the Final QSA PEIR, as modified and supplemented by the PEIR Addendum, attached as Exhibit "A" hereto, has been completed in compliance with CEQA; the Final QSA PEIR, as modified and supplemented by the PEIR Addendum, was presented to the Board, and the Board has reviewed and considered the information contained in the Final QSA PEIR, as modified and supplemented by the PEIR Addendum, prior to making a decision on the QSA defined therein; and the Final QSA PEIR, as modified and supplemented by the PEIR Addendum, reflects the Board's independent judgment and analysis.
- (2) The Board has reviewed and considered, and hereby approves and adopts, pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093, the specific Findings (including the basis therefor) and Statement of Overriding Considerations, attached as Exhibit "B" hereto and incorporated herein by this reference, in order to satisfy the requirements of CEQA in connection with the assessment of the environmental impacts of the QSA, as set forth in the Final QSA PEIR, as modified and supplemented by the PEIR Addendum.
- (3) The Board has reviewed and considered, and hereby approves and adopts, pursuant to CEQA Guidelines Sections 15091(a)(1) and 15097, the Mitigation Monitoring and Reporting Program, attached as Exhibit "C" hereto and incorporated herein by this reference, as a condition of approval of the QSA, in order to ensure implementation of the mitigation measures identified in the Final QSA PEIR, as modified and supplemented by the PEIR Addendum,


which have been required to mitigate or avoid significant environmental effects of the QSA.

WE HEREBY CERTIFY, that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Directors of the Imperial Irrigation District at its meeting on December 31, 2002.



IMPERIAL IRRIGATION DISTRICT


Board Vice President


Board Secretary

ATTACHED EXHIBITS:

- "A" Addendum to QSA PEIR
- "B" CEQA Findings and Statement of Overriding Considerations
- "C" Mitigation Monitoring and Reporting Program

24-131

**RESOLUTION NO. 17-2002 OF THE BOARD OF DIRECTORS OF IMPERIAL
IRRIGATION DISTRICT APPROVING THE QSA AND THE IID WATER
CONSERVATION AND TRANSFER PROJECT**

WHEREAS, the Imperial Irrigation District ("IID") is the Lead Agency under the California Environmental Quality Act ("CEQA") for the Environmental Impact Report ("EIR") for the IID Water Conservation and Transfer Project;

WHEREAS, IID, Coachella Valley Water District ("CVWD"), Metropolitan Water District of Southern California ("MWD"), and the San Diego County Water Authority ("SDCWA") are Co-Lead Agencies, pursuant to a Co-Lead Agency Agreement dated April 10, 2000, for the Program Environmental Impact Report ("PEIR") for the proposed Quantification Settlement Agreement ("QSA"), pursuant to CEQA;

WHEREAS, pursuant to the Co-Lead Agency Agreement, each Lead Agency certified the QSA PEIR as complete in June 2002;

WHEREAS, an Addendum to the PEIR has been prepared to address changes to the QSA made subsequent to certification of the QSA PEIR;

WHEREAS, IID has been advised by CVWD, MWD and SDCWA that these agencies have approved the QSA, the QSA PEIR Addendum, and the CEQA Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program ("MMRP") for the QSA;

WHEREAS, the IID Water Conservation and Transfer Project involves IID's conservation and transfer of the right to use up to 300,000 acre-feet per year ("AFY") of Colorado River water which IID is otherwise entitled to divert for use within IID's water service area in Imperial County, California, which conserved water would be transferred to SDCWA pursuant to the "Agreement for Transfer of Conserved Water" executed by IID and SDCWA in 1998 (as amended), or, if the QSA is executed by IID, CVWD, and MWD and all conditions precedent thereto are satisfied, the water transfers would be modified to conform with the terms of the QSA;

WHEREAS, the water transfers by IID facilitate California's efforts to reduce its diversions of Colorado River water to its annual 4.4 million AFY normal year apportionment, thus benefiting the entire Colorado River Basin;

WHEREAS, the IID Water Conservation and Transfer Project also includes a Habitat Conservation Plan, which has been prepared by IID in consultation with the U.S. Fish & Wildlife Service and the California Department of Fish & Game to authorize the incidental take of covered species associated with the proposed water conservation program, as well as IID's ongoing operation and maintenance activities within the IID water service area, the All American Canal right-of-way and the Salton Sea;

WHEREAS, the IID Board of Directors ("Board") is the decision-making body for IID;

WHEREAS, the Board certified the Final QSA PEIR and the Final EIR for the IID Water Conservation and Transfer Project ("Final EIR") on June 28, 2002 by Resolution No. 8-2002;

WHEREAS, by Resolution No. 16-2002, adopted on December 31, 2002, the Board (1) approved the QSA PEIR, as modified and supplemented by the PEIR Addendum as sufficient to assess the impacts of the revised QSA, and (2) adopted the CEQA Findings, the Statement of Overriding Considerations, and the MMRP for the QSA PEIR;

WHEREAS, by Resolution No. 15-2002, adopted on December 31, 2002, the Board (1) approved the Final EIR, as modified and supplemented by the Addendum thereto, as sufficient to assess the revised IID Water Conservation and Transfer Project, and (2) adopted the CEQA Findings, Statement of Overriding Considerations, and the MMRP for the IID Water Conservation and Transfer Project;

NOW, THEREFORE, be it resolved as follows:

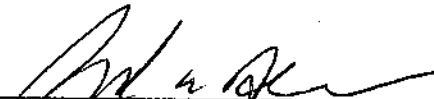
- (1) The Board hereby approves the QSA and authorizes the President or Vice-President and the Secretary to sign the QSA, the IID/MWD Acquisition Agreement, the IID/CVWD Acquisition Agreement, the Environmental Cost Sharing Agreement, the All-American Canal Allocation Agreement, and all Related Agreements, upon determination by the General Manager and the Chief Counsel that said Agreements and Exhibits thereto are substantially in the same form and substance as those released for public review on December 2, 3, 5 and 6, 2002, including the further revisions authorized at the IID Board workshop on December 5, 2002, all as encompassed in the revised agreements reviewed by the Board on December 31, 2002;
- (2) The Board hereby approves the Notice of Determination for the QSA and authorizes the General Manager to file the Notice of Determination;
- (3) The Board hereby approves the IID Water Conservation and Transfer Project and authorizes the President or Vice-President and the Secretary to sign the Fourth Amendment to Agreement between Imperial Irrigation District and San Diego County Water Authority for Transfer of Conserved Water, Exhibits thereto, and Related Agreements and documents, upon determination by the General Manager and the Chief Counsel that said Fourth Amendment to Agreement and Exhibits thereto are substantially in the same form and substance as those released for public review on December 2, 3, 5 and 6, 2002, including the further revisions authorized at the IID Board workshop on December 5, 2002, all as encompassed in the revised agreements reviewed by the Board on December 31, 2002.
- (4) The Board hereby approves the Notice of Determination for the IID Water Conservation and Transfer Project and authorizes the General Manager to file the Notice of Determination.

- (5) The Board further directs IID's Chief Counsel to take any necessary legal actions to challenge the recent order by the Department of the Interior regarding IID's rights to Colorado River water


WE HEREBY CERTIFY, that the foregoing is a full, true and correct copy of a Resolution adopted by the Board Directors of the Imperial Irrigation District at its meeting on December 31, 2002.



IMPERIAL IRRIGATION DISTRICT



Board Vice President



Board Secretary

24-132

Imperial Irrigation District

RESOLUTION NO. 18-87

WHEREAS, the Board of Directors of Imperial Irrigation District has appointed a Water Conservation Advisory Board to assist the District in recognizing matters relating to water problems; and

WHEREAS, the Water Conservation Advisory Board has adopted Bylaws with the approval of the Imperial Irrigation District; and

WHEREAS, said Bylaws state in Section 1.01 therein: "The purpose for which this Board as organized is to recommend to the Board of Directors of the Imperial Irrigation District and the Imperial Valley farming community an expanded program of irrigation efficiency in system operation and farming practices."; and

WHEREAS, prevailing circumstances have caused the Advisory Board to consider revision of the rules regarding tailwater assessment and delivery adjustments to conserve water; and

WHEREAS, the Water Conservation Advisory Board has recommended in Resolution No. 87-2 that certain rules be adopted to be known as the "Rules Concerning Tailwater Assessments and Delivery Adjustments to Conserve Water," and that these rules supersede those adopted in the 13- and 21-Point Programs; and

WHEREAS, the Imperial Irrigation District Board of Directors has reviewed and modified the rules as presented by the Water Conservation Advisory Board.

Imperial Irrigation District

RULES CONCERNING TAILWATER ASSESSMENTS

AND DELIVERY ADJUSTMENTS TO CONSERVE WATER

(To Combine the 13-Point and 21-Point Water Conservation Programs)

- (1) The District shall establish a penalty of \$100.00 for the unauthorized adjusting of delivery gates, which results in a change in the amount of water being delivered.
- (2) An inventory of surface field discharge water will be taken daily and an assessment shall be levied against all discharges which equal 15 percent or more of the water being delivered and measurement thereof shall have been taken on two successive occasions not less than nine hours apart in a 24-hour period. The term assessment used herein shall mean the quantity of water charged (in second feet and reduced to acre-feet, times the scheduled water rate) multiplied by 3 for the day in which the measurements were taken.

Should it become necessary to levy assessments against surface field discharge measuring 15 percent or more on subsequent irrigation runs for any one (1) delivery gate in a calendar quarter, each successive assessment multiplier shall be increased by one (1); i.e., 4, 5, etc. The successive assessment multiplier shall not apply during the time ground is being irrigated for seed germination purposes. Immediately following stand establishment, the successive assessment multiplier shall be increased as indicated and shall apply to the land on which water is being used in the same manner as any other land receiving water.

- (3) When a first measurement shows more tailwater than is allowable for that irrigation, a reasonable attempt shall be made to notify the water user, normally by telephone. Notification by mail of an assessment or penalty will be made within 5 normal working days.
- (4) Application of the assessment charge shall apply on the same basis to all types of irrigation (including the use of water ordered for mulching purposes with proper notice), with the following exceptions:
 - (a) The percentage of surface runoff allowed when water is being used to irrigate plowed or flat unseeded ground shall be 5 percent for the last day of said irrigation; no measureable waste shall be allowed for any previous day.
 - (b) When water is being run in furrows to germinate crop seeds and to establish a stand, no assessment charge shall be made unless one of the two consecutive measurements showing 15 percent or more runoff is made between 12:00 noon and 6:00 p.m.
- (5) In the event a water user is receiving more than his confirmed order, said surplus shall be subtracted from surface runoff for the purpose of determining if his runoff is excessive.

- (6) In no event shall any water user be assessed unless his runoff exceeds the allowable percentage of his order irrespective of the quantity of water the user is receiving.
- (7) Any surface runoff measurement made within 4 hours after the District has reduced the quantity of water delivered shall apply to the order in effect before said change.
- (8) The application of an assessment charge based on waste measured after the delivery gate is closed shall apply on the same basis as when water was actually running. Any assessment made after the gate is closed shall be based on the order last running.
- (9) If a water user feels that an assessment or penalty has been applied in error, he should immediately contact the Division Superintendent to specify his reasons. A water user may appeal an assessment or penalty within 30 days by notifying the District in writing of the disputed tailwater assessment. The Chairman of the Water Conservation Advisory Board shall appoint three members of the Board to serve as a committee to hear the appeal. The decision of the Tailwater Assessment Appeal Committee shall be final.
- (10) Changes can be made for the last day of a run by notifying the District not later than 3:00 p.m. of the preceding day.
- (11) When a water user requests an adjustment in the quantity of water delivered, not to exceed 2 cfs, the District shall be obliged to honor the same if it is within the ability of the District's system to accommodate such a request, and if the water user notifies the zanjero in advance of beginning his daily run. The zanjero of said run shall obtain approval to make said change from his respective superior or section.
- (12) An adjustment in the water order may be made to apply to the last 12 hours of the water run, provided that the District is notified in advance, but not later than 3:00 p.m. preceding the time the order is changed. The District may honor changes until 4:00 p.m. if it does not disrupt service to other water users. No penalty shall be charged for a reduction as long as the same does not exceed 50 percent or 5 feet of the order as confirmed, whichever is less. Water that is returned with notice after 3:00 p.m. or that exceeds the quantity that this rule authorizes may be subject to an assessment equal to two times the regular water rate. This is in addition to the regular charge of the total order.
- (13) Finish heads can be ordered up to 3:00 p.m. of the day preceding the day of delivery.
- (14) Routine canal cutouts shall be accomplished no more frequently than once every 8 weeks, except when special circumstances require more frequent cutouts.
- (15) Water may be delivered, off-schedule when and wherever possible, if it does not interfere with service to other water users.

THIS WILL CANCEL AND SUPERSEDE THE 13- AND 21-POINT PROGRAMS.

NOW, THEREFORE, on motion of Director Bornt, seconded by
Director Gallegos, BE IT HEREBY RESOLVED, that the Rules Concerning
Tailwater Assessments and Delivery Adjustments to Conserve Water as stated in
Exhibit A attached hereto and made a part hereof, be adopted to become effective
July 1, 1987.

BE IT FURTHER RESOLVED that this action will cancel and supersede the
13- and 21-Point Water Conservation Programs.

PASSED AND ADOPTED this 23rd day of June, 1987.

IMPERIAL IRRIGATION DISTRICT

By

Scott K. Hume
President

By

Larry E. Beck
Secretary



Copies:
Shreves
Wheeler
Fontaine
General Files

24-133

Imperial Irrigation District

RESOLUTION NO. 19-87

WHEREAS, the Board of Directors of Imperial Irrigation District has appointed a Water Conservation Advisory Board to assist the District in recognizing matters relating to water problems; and

WHEREAS, the Water Conservation Advisory Board has adopted Bylaws with the approval of the Imperial Irrigation District; and

WHEREAS, said Bylaws state in Section 1.01 therein: "The purpose for which this Board as organized is to recommend to the Board of Directors of the Imperial Irrigation District and the Imperial Valley farming community an expanded program of irrigation efficiency in system operation and farming practices."; and

WHEREAS, Imperial Irrigation District has developed a Water Conservation Plan designed to improve overall water use efficiency in Imperial Valley, including on-farm irrigation efficiency; and

WHEREAS, it is recognized that tailwater recovery systems can significantly reduce tailwater runoff thereby increasing irrigation efficiency; and

WHEREAS, the purpose of the tailwater recovery demonstration is to determine the amounts of water to be saved, costs, other benefits, or adverse impacts; and

WHEREAS, the Imperial Irrigation District Board of Directors has authorized the installation and operation of tailwater recovery systems at each of six specified locations; and

WHEREAS, the Water Conservation Advisory Board has recommended in Resolution No. 87-3 that certain rules be adopted to establish when and if the recorded tailwater spilled to the District's drain system is excessive; and

WHEREAS, the Imperial Irrigation District Board of Directors has reviewed and modified the rules as presented by the Water Conservation Advisory Board.

NOW, THEREFORE, on motion of Director Benson, seconded by Director Gallegos, BE IT HEREBY RESOLVED, that the following listed rules concerning Tailwater Pumpback Recovery Systems be adopted to become effective July 1, 1987:

RULES CONCERNING THE TAILWATER PUMPBACK RECOVERY SYSTEMS

- (1) An assessment for excessive tailwater shall be applied if the percentage of tailwater spilled to the District's drain is equal to five percent or more based on one of the following two methods selected by the water user to be in effect for each calendar quarter:
 - a. Based on the amount of water delivered during a 24-hour period.
 - b. Based on the irrigation water delivered for the total irrigation cycle, not to exceed five days.
- (2) The term assessment used herein shall mean the quantity of water charged in acre-feet, times the scheduled water rate multiplied by three.
- (3) If the recording device or the structure used for measuring the tailwater spill to the District's drain is tampered with, a penalty of \$200.00 per day of irrigation during the occurrence shall be assessed.

- (4) An assessment shall not be applied if mechanical failure or Acts of God substantially interfere with the operation of the tailwater recovery system.
- (5) If the water in the tailwater reservoir is unsuitable for irrigation of the field, it may be spilled or pumped into the District's drain without penalty.

PASSED AND ADOPTED THIS 23rd day of June, 1987.

IMPERIAL IRRIGATION DISTRICT

By

Shirley L. Moore
President

By

Larry E. Beck
Secretary



Copies:
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